



ROOM 443

ACTS
AND
RESOLVES

PASSED BY THE
General Court of Massachusetts

IN THE YEAR

1937

TOGETHER WITH

TABLES SHOWING CHANGES IN THE STATUTES, ETC.

PUBLISHED BY THE
SECRETARY OF THE COMMONWEALTH




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ACTS AND RESOLVES

OF

MASSACHUSETTS

1937

 The General Court, which was chosen November 3, 1936, assembled on Wednesday, the sixth day of January, 1937, for its first annual session.

The oaths of office were taken and subscribed by His Excellency CHARLES F. HURLEY and His Honor FRANCIS E. KELLY on Thursday, the seventh day of January, in the presence of the two Houses assembled in convention.

ACTS.

AN ACT PROVIDING FOR THE CONTINUANCE OF THE ANNUAL LISTING OF MALE PERSONS SEVENTY YEARS OF AGE OR OLDER NOTWITHSTANDING THEIR EXEMPTION FROM PAYMENT OF POLL TAXES. *Chap. 1*

Whereas, The deferred operation of this act would tend to defeat its purpose, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The first paragraph of section four of chapter fifty-one of the General Laws, as most recently amended by section one of chapter three hundred and forty-five of the acts of nineteen hundred and thirty-five, is hereby further amended by inserting after the word "tax" in the tenth line the words: — , of every male inhabitant of the commonwealth seventy years of age or older, residing in their respective cities and towns, — so as to read as follows: — The assessors, assistant assessors, or one or more of them shall annually in January or February, visit every building in their respective cities and towns, and, after diligent inquiry, shall make true lists containing, as nearly as they can ascertain, the name, age, occupation, nationality if not a citizen of the United States, and residence on January first in the preceding year and in the current year, of every male person twenty years of age or older, residing in their respective cities and towns, liable to be assessed for a poll tax, of every male inhabitant of the commonwealth seventy years of age or older, residing in their respective cities and towns, and of soldiers and sailors exempted from the payment of a poll tax under section five of chapter fifty-nine; and shall also make true lists containing the same facts relative to every woman twenty years of age or older residing in their respective cities and towns. G. L. (Ter. Ed.), 51, § 4, etc., amended.

Assessors to make lists of male persons over seventy years of age.

SECTION 2. Section eight of said chapter fifty-one, as most recently amended by section seven of chapter two hundred and fifty-four of the acts of nineteen hundred and thirty-three, is hereby further amended by inserting after the word "if" in the fourth line the words: — a male resident seventy years of age or older or, — so as to read as follows: — *Section 8.* If a male resident in a city or town, except in one having a listing board, on January first was G. L. (Ter. Ed.), 51, § 8, etc., amended.

Assessment of persons not

previously
assessed.

not assessed for a poll tax, or if a male resident seventy years of age or older or an exempted soldier or sailor or a woman in such a city or town was not listed under section four, such person shall, in order to establish his right to be assessed or listed, present to the assessors before the close of registration a sworn statement that he was on said day a resident of such city or town, and a sworn list of his polls and estate. If the assessors are satisfied that such statement is true, they shall assess or list him, as the case may be, and give him a certificate thereof.

Approved January 14, 1937.

Chap. 2 AN ACT PLACING UNDER THE CIVIL SERVICE LAWS THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF TEWKSBURY.

Be it enacted, etc., as follows:

SECTION 1. The office of chief of police of the town of Tewksbury shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations relating to police officers in towns, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws, but the present incumbent of said office may continue to serve as such without taking a civil service examination.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the current year in the form of the following question which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the general court in the year nineteen hundred and thirty-seven, entitled 'An Act placing under the Civil Service Laws the Office of Chief of Police of the Town of Tewksbury', be accepted?" If a majority of the votes in answer to said question are in the affirmative, then this act shall thereupon take effect, but not otherwise.

Approved January 14, 1937.

Chap. 3 AN ACT AUTHORIZING THE TRUSTEES OF THE ESSEX COUNTY AGRICULTURAL SCHOOL TO EXPEND A CERTAIN SUM OF MONEY TOWARD THE COMPLETION OF AN ATHLETIC FIELD NOW BEING CONSTRUCTED THEREAT AS A FEDERAL WORKS PROGRESS ADMINISTRATION PROJECT.

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Essex County Agricultural School may expend a sum, not exceeding six thousand dollars, toward the completion of an athletic field now being constructed at said school as a federal works progress administration project, the said sum to be included in the appropriation of the current year for said school.

SECTION 2. This act shall take effect upon its passage.

Approved January 22, 1937.

AN ACT EXTENDING THE TIME WITHIN WHICH TOWNS MAY
APPROPRIATE MONEY FOR TEMPORARY EMERGENCY UNEMPLOYMENT FUNDS. *Chap. 4*

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

The first paragraph of chapter ninety of the acts of nineteen hundred and thirty-five is hereby amended by striking out, in the second line, the words "and nineteen hundred and thirty-six" and inserting in place thereof the words:— to nineteen hundred and thirty-eight, inclusive,— so as to read as follows:— During the calendar years nineteen hundred and thirty-five to nineteen hundred and thirty-eight, inclusive, any town may by two thirds vote appropriate money to be set apart and administered as a general unemployment relief fund, for expenditure by or under the direction of the boards and officers in charge of town departments, subject to the approval of a board of administration consisting of such town officers *ex officio* as the town shall by its vote determine, for the construction, improvement, or repair of public ways, public parks, sewerage and water supply systems, municipal buildings and other municipal works or undertakings, whereby employment may be afforded citizens of the town who shall be determined, in such manner as the town shall by its vote prescribe, to be in need thereof, or for the purchase or hire of materials, supplies and equipment and the employment of labor for the furtherance of, or as the contribution of the town to, any federal unemployment relief project undertaken or to be undertaken within the town.

Approved January 22, 1937.

AN ACT PLACING UNDER THE CIVIL SERVICE LAWS THE OFFICE
OF CHIEF OF POLICE OF THE TOWN OF MEDWAY. *Chap. 5*

Be it enacted, etc., as follows:

SECTION 1. The office of chief of police of the town of Medway shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations relating to police officers in towns, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to such laws; provided, that Leo F. Cassidy, the present incumbent of said office, may continue to serve therein without taking a civil service examination.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the current year in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: "Shall an act passed by the General

Court in the year nineteen hundred and thirty-seven, entitled 'An Act placing under the civil service laws the office of chief of police of the town of Medway', be accepted?" If a majority of the votes in answer to said question are in the affirmative, then this act shall thereupon take effect, but not otherwise.

Approved January 22, 1937.

- Chap.* 6 AN ACT TO PERMIT THE SCHOOL COMMITTEE OF THE TOWN OF DALTON TO RETIRE WITH AN ANNUAL PENSION WILLIAM M. BARTLEY, A SCHOOL JANITOR IN THAT TOWN WHO HAS BECOME PHYSICALLY INCAPACITATED.

Be it enacted, etc., as follows:

SECTION 1. The school committee of the town of Dalton, having control of janitors employed in the public schools of that town, may retire with an annual pension William M. Bartley, a janitor of a school in that town who has reached the age of sixty after completing a service of more than twenty-five years and is physically incapacitated. The pension shall be one half the compensation to which the pensioner would have been entitled for full employment during the last year of his service but not more than seven hundred and fifty dollars per year. It shall be payable out of the appropriation for the support of the public schools, maintenance of school buildings or payment of janitors.

SECTION 2. This act shall take effect upon its passage.

Approved January 25, 1937.

- Chap.* 7 AN ACT PLACING UNDER THE CIVIL SERVICE LAWS THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF NORTH ANDOVER.

Be it enacted, etc., as follows:

SECTION 1. The office of chief of police of the town of North Andover shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations relating to police officers in towns, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws, but Alfred H. McKee, the present incumbent of said office, may continue to serve as such without taking a civil service examination.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the current year in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: "Shall an act passed by the General Court in the year nineteen hundred and thirty-seven, entitled 'An Act placing under the civil service laws the office of chief of police of the town of North Andover', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take effect, but not otherwise.

Approved January 27, 1937.

AN ACT PLACING UNDER THE CIVIL SERVICE LAWS THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF HOLLISTON. *Chap. 8*

Be it enacted, etc., as follows:

SECTION 1. The office of chief of police of the town of Holliston shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations relating to police officers in towns, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws, but the present incumbent of said office may continue to serve as such without taking a civil service examination.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the current year in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: "Shall an act passed by the General Court in the year nineteen hundred and thirty-seven, entitled 'An Act placing under the civil service laws the office of chief of police of the town of Holliston', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take effect, but not otherwise.

Approved January 27, 1937.

AN ACT PROVIDING FOR THE FILLING OF VACANCIES IN THE BOARD OF ALDERMEN OF THE CITY OF MEDFORD BY THE REMAINING MEMBERS OF SAID BOARD. *Chap. 9*

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and forty-five of the acts of nineteen hundred and three is hereby amended by striking out section five and inserting in place thereof the following:— *Section 5.* If it shall appear that there is no choice of mayor, or if the person elected to that office shall refuse to accept or shall die before qualifying, or if a vacancy in the office shall occur more than four months previous to the expiration of the term of office of a mayor, the board of aldermen shall forthwith cause warrants, or orders, to be issued for a new election, and the same proceedings shall be had in all respects as are hereinbefore provided for the election of a mayor; and such proceedings shall be repeated until the election of a mayor is completed. In case a vacancy in the office of mayor shall occur within the four months previous to the expiration of his term of office, the board of aldermen may, in its discretion, order a new election to be held as aforesaid to fill the vacancy. Any vacancy in the board of aldermen shall be filled by election by said board by a majority vote of all its members; and the person elected to fill such vacancy shall be a resident of the ward from which his predecessor was elected and shall have resided therein for not less than six months last preceding such election.

A person elected hereunder shall, before entering upon the duties of the office, take oath before the city clerk faithfully to perform the same.

SECTION 2. Chapter one hundred and forty-two of the acts of nineteen hundred and thirty-five is hereby repealed.

SECTION 3. Any vacancy in the board of aldermen of the city of Medford existing upon the date of passage of this act shall be filled as provided in section one thereof, notwithstanding that the provisions of said section will not otherwise be effective unless said section is accepted in accordance with section four.

SECTION 4. Section one of this act shall be submitted for acceptance to the registered voters of the city of Medford at its biennial municipal election in the current year in the form of the following question which shall be placed upon the official ballot to be used at said election: "Shall section one of an act passed by the general court in the year nineteen hundred and thirty-seven, entitled 'An Act providing for the filling of vacancies in the board of aldermen of the city of Medford by the remaining members of said board', be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to said question, said section shall thereupon take effect, but not otherwise. Sections two and three of this act shall take effect upon its passage.

Approved January 27, 1937.

Chap. 10 AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A CERTAIN SUM OF MONEY TO MIRIAM L. SHAPIRO OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Boston is hereby authorized to pay to Miriam L. Shapiro, of said Boston, the sum of fourteen hundred dollars as a refund of the fee paid by said Shapiro for a retail package store liquor license, so called, no right, power or privilege under said license having been exercised by said Shapiro.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter.

Approved February 2, 1937.

Chap. 11 AN ACT AUTHORIZING SPECIAL JUDGES OF PROBATE AND INSOLVENCY AND SPECIAL JUSTICES OF DISTRICT COURTS, WHEN HOLDING COURT, TO WAIVE THE REQUIREMENTS OF THE FIVE-DAY MARRIAGE LAW, SO CALLED.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 207, § 30, amended.

SECTION 1. Section thirty of chapter two hundred and seven of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "court" in the fifth line the following:—, or a special

judge of probate and insolvency or special justice of a district court when holding court, — so as to read as follows: —

Section 30. Upon application by both of the parties to an intended marriage, when both parties are residents of the commonwealth or both parties are non-residents, or upon application of the party residing within the commonwealth when one of the parties is a resident and the other a non-resident, a judge of probate or a justice of a district court, or a special judge of probate and insolvency or special justice of a district court when holding court, may, after hearing such evidence as is presented, grant a certificate stating that in his opinion it is expedient that the intended marriage be solemnized without delay. Upon presentation of such a certificate, or, in extraordinary or emergency cases when the death of either party is imminent, upon the authoritative request of a minister, clergyman, priest, rabbi or attending physician, the clerk or registrar of the town where the notice of intention has been filed shall at once issue the certificate prescribed in section twenty-eight.

Waiver of
five-day
marriage law.

SECTION 2. This act shall become operative June first in the current year.

Effective
date.

Approved February 2, 1937.

AN ACT PLACING UNDER THE CIVIL SERVICE LAWS THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF NORTHBRIDGE. *Chap. 12*

Be it enacted, etc., as follows:

SECTION 1. The office of chief of police of the town of Northbridge shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations relating to police officers in towns, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said laws, but the present incumbent of said office may continue to serve as such without taking a civil service examination.

SECTION 2. This act shall take effect upon its acceptance by vote of the inhabitants of said town at any town meeting held during the current year. *Approved February 2, 1937.*

AN ACT MAKING CERTAIN PERFECTING CHANGES IN THE LAWS RELATIVE TO REGISTRATION OF EMBALMERS AND FUNERAL DIRECTORS. *Chap. 13*

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section eighty-seven of chapter one hundred and twelve of the General Laws, as appearing in section three of chapter four hundred and seven of the acts of nineteen hundred and thirty-six, is hereby amended by striking out, in the second

G. L. (Ter.
Ed.), 112, § 87,
etc., amended.

Penalty
section.

and seventh lines, respectively, the word "eighty-two" and inserting in place thereof, in each instance, the word:— eighty-three,—so as to read as follows:— *Section 87.* Whoever, not being registered as an embalmer under section eighty-three or corresponding provisions of earlier laws, shall by himself or by his agent or servant, unless such agent or servant is so registered, engage in the business of embalming dead human bodies, or whoever, not being registered as a funeral director under said section eighty-three and licensed as a funeral director under section forty-nine of chapter one hundred and fourteen, shall engage in the business of funeral directing, or shall hold himself out as such, shall, except as otherwise provided in section sixty-five, be punished by a fine of not more than one hundred dollars or by imprisonment for not more than two months, or both; but sections eighty-two to eighty-seven, inclusive, shall not prohibit the employment of apprentices or assistants in embalming under the personal supervision of a registered embalmer, or in funeral directing under the personal supervision of a registered and licensed funeral director.

Approved February 3, 1937.

Chap. 14 AN ACT RELATIVE TO THE NUMBER OF PACKAGE STORE LICENSES THAT MAY BE ISSUED FOR THE SALE OF ALL ALCOHOLIC BEVERAGES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 138, § 17,
etc., amended.

SECTION 1. The first paragraph of section seventeen of chapter one hundred and thirty-eight of the General Laws, as most recently amended by chapter two hundred and forty-five of the acts of nineteen hundred and thirty-six, is hereby amended by striking out, in the twenty-first line, the word "three" the second time it occurs and inserting in place thereof the word:— five,—so as to read as follows:— Except as otherwise provided in this chapter, the number of licenses granted by the local licensing authorities in any city or town under sections twelve and fifteen shall not exceed in the aggregate one for each population unit of one thousand or fraction thereof; provided, that within said aggregate number the licensing authorities may grant three licenses under section fifteen in any city or town having a population of five thousand or more but not exceeding fifteen thousand and may grant not more than one license thereunder for each population unit of five thousand or fraction thereof in any city or town having a population of more than fifteen thousand; and provided, further, that the licensing authorities in any town, irrespective of its population, may grant not more than four licenses in the aggregate under sections twelve and fifteen, but in no such case shall they grant more than three licenses under section twelve or more than two licenses under section fifteen; and provided, further, that in the city of Bos-

Package store
licenses,
number of,
regulated.

ton licenses under section twelve may be granted up to a total number not exceeding one thousand and licenses under section fifteen up to a total number not exceeding three hundred and five but no further original licenses under said section fifteen shall be granted in said city until the number of licenses outstanding thereunder shall have been reduced to less than two hundred and fifty by cancellation or revocation or the failure of holders of such licenses to apply for renewals, and thereafter licenses thereunder may be granted only up to a total not exceeding two hundred and fifty; and provided, further, that in any city or town which has an increased resident population during the summer months, the local licensing authorities may make an estimate prior to April first in any year of such temporary resident population as of July tenth following, a copy of which estimate shall be transmitted forthwith to the commission, and one additional license under section twelve, to be effective from April first to November thirtieth only, may be granted for each unit of one thousand or additional fraction thereof of such population as so estimated, and one additional license under section fifteen, to be effective from April first to November thirtieth only, may be granted for each unit of five thousand or additional fraction thereof of such population as so estimated; and provided, further, that said authorities may grant in addition and irrespective of any limitation of number of licenses contained in this section seasonal licenses under section twelve to duly incorporated clubs in their city or town if deemed by them to be in the public interest.

SECTION 2. This act shall take effect upon its passage.

Approved February 5, 1937.

Effective
date.

AN ACT RELATIVE TO VACATIONS FOR CERTAIN MUNICIPAL EMPLOYEES. Chap. 15

Be it enacted, etc., as follows:

Chapter forty-one of the General Laws is hereby amended by striking out section one hundred and eleven, as most recently amended by chapter two hundred and forty-two of the acts of nineteen hundred and thirty-six, and inserting in place thereof the following section:— *Section 111.* In any town which accepted chapter two hundred and seven-teen of the acts of nineteen hundred and fourteen or which accepts this section in the manner hereinafter provided, all persons classified as laborers, or doing the work of laborers, regularly employed by such town, shall be granted an annual vacation of not less than two weeks without loss of pay. In any city which accepted said chapter or which accepts this section in the manner hereinafter provided, the city council may determine that a vacation of two weeks without loss of pay shall be granted to every person regularly employed by such city as a common laborer, skilled laborer, mechanic or craftsman. If such vacations are author-

G. L. (Ter.
Ed.), 41, § 111,
etc., amended.

Vacations
for certain
municipal
employees.

ized, they shall be granted by the heads of the executive departments of the city at such times as in their opinion will cause the least interference with the performance of the regular work of the city. A person shall be deemed to be regularly employed, within the meaning of this section, if he has actually worked for the city or town for thirty-two weeks in the aggregate during the preceding twelve months, notwithstanding that he has ceased, otherwise than by voluntary withdrawal or dismissal for cause in accordance with law, to be in the employ of such city or town. Any official of a city or town whose duty it is to grant a vacation as provided by this section who wilfully refuses to grant the same shall be punished by a fine of not more than one hundred dollars. The department of labor and industries shall enforce this section, and shall have all necessary powers therefor.

If a petition requesting that the question of acceptance of this section be submitted to the registered voters of any city or town which has not accepted said chapter two hundred and seventeen, signed by registered voters thereof equal in number to at least five per cent of the whole number of registered voters thereof, is filed with the city or town clerk not less than sixty days before a biennial state election, said city or town clerk shall immediately transmit said petition to the state secretary, who shall cause to be placed upon the official ballot to be used in said city or town at said state election the following question: "Shall section one hundred and eleven of chapter forty-one of the General Laws, providing for vacations for certain municipal employees be accepted?" If a majority of the registered voters of such city or town voting thereon shall vote in the affirmative, said section shall be applicable in such city or town from and after the beginning of the next municipal year.

Approved February 5, 1937.

Chap. 16 AN ACT AUTHORIZING THE ESTABLISHMENT OF A BOARD OF TRUSTEES TO MANAGE THE LAND OF THE TOWN OF IPSWICH AT GREAT NECK IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Ipswich shall elect by ballot, at its annual town election in the year nineteen hundred and thirty-eight, three persons to constitute a board of trustees for the management of the land owned by the town at Great Neck, in said Ipswich. One of such trustees shall hold office until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from said election; and at each annual town election thereafter one such trustee shall be elected by ballot for three years. Said board of trustees shall be subject to such instructions, rules and regulations as said town may from time to time impose by vote.

SECTION 2. Pending the election of the board of trustees authorized by section one of this act, the board of selectmen of said town may appoint three persons to constitute such board. Persons appointed under this section shall serve until the qualification of their successors elected at the annual town election in said town in the year nineteen hundred and thirty-eight as provided in said section one, and shall have and exercise the same powers and privileges and be subject to the same restrictions, rules and regulations as the board referred to in said section one.

SECTION 3. This act shall be submitted for acceptance to the registered voters of the town of Ipswich at the annual town meeting in the current year. If a majority of the votes cast thereon at said meeting is in the affirmative, this act shall take full effect, but not otherwise.

Approved February 8, 1937.

AN ACT ESTABLISHING IN THE TOWN OF BRAINTREE REPRESENTATIVE TOWN GOVERNMENT BY LIMITED TOWN MEETINGS. *Chap. 17*

Be it enacted, etc., as follows:

PART I.

SECTION 1. There is hereby established in the town of Braintree the form of representative town government by limited town meetings hereinafter set forth.

SECTION 2. Upon the acceptance of Part I of this act by the town of Braintree as hereinafter provided, the selectmen shall forthwith divide the territory of said town into not less than six nor more than nine voting precincts, each of which shall be plainly designated and shall contain not less than four hundred registered voters. All precincts shall also contain approximately an equal number of registered voters. The precincts shall be so established as to consist of compact and contiguous territory to be bounded, as far as possible, by the center line of known streets and ways or by other well-defined limits. Their boundaries shall be reviewed, and, if need be, wholly or partly revised, by the selectmen in December, once in five years, or in December of any year when so directed by a vote of a representative town meeting held not later than November twentieth of that year.

The selectmen shall, within ten days after any establishment or revision of the precincts, file a report of their doings with the town clerk, the registrars of voters and the assessors, with a map or maps or description of the precincts and the names and residences of the registered voters therein. The selectmen shall also cause to be posted in the town hall a map or maps or description of the precincts as established or revised from time to time with the names and residences of the registered voters therein; and they shall also cause to be posted in at least one public place in each precinct a map or description of that precinct, with the names and residences

of the registered voters therein. The division of the town into voting precincts and any revision of such precincts shall take effect upon the date of the filing of the report thereof by the selectmen with the town clerk. Whenever the precincts are established or revised, the town clerk shall forthwith give written notice thereof to the state secretary, stating the number and designation of the precincts. Meetings of the registered voters of the several precincts for elections, for primaries, and for voting upon any question to be submitted to all the registered voters of the town, shall be held on the same day and at the same hour and at such place or places within the town as the selectmen shall in the warrant for such meeting direct. The provisions of chapters fifty to fifty-six, inclusive, of the General Laws relating to precinct voting at elections, so far as the same are not inconsistent with this act, shall apply to all elections and primaries in the town upon the establishment of voting precincts as herein-before provided.

SECTION 3. Other than the officers designated in the by-laws of the town as town meeting members at large, the representative town meeting membership shall in each precinct consist of the largest number divisible by three which will admit of a representation thereof in the approximate proportion which the number of registered voters therein bears to the total number of registered voters in the town, and which will cause the total membership to be as nearly two hundred and forty as may be.

The registered voters in every precinct shall, at the first annual town election held after the establishment of such precinct, and the registered voters of any precinct affected by any revision of precincts shall, at the first annual town election following such revision, conformably to the laws relative to elections not inconsistent with this act, elect by ballot the number of registered voters in the precinct, other than the officers designated in the by-laws as town meeting members at large, provided for in the first sentence of this section, to be town meeting members of the town. The first third, in the order of votes received, of members so elected shall serve three years, the second third in such order shall serve two years, and the remaining third in such order shall serve one year, from the day of the annual town meeting; in case of a tie vote affecting the division into thirds, as aforesaid, the members elected from the precinct shall by ballot determine the same; and thereafter, except as is otherwise provided herein, at each annual town election the registered voters of each precinct shall, in like manner, elect, for the term of three years, one third of the number of elected town meeting members to which such precinct is entitled, and shall at such election fill for the unexpired term or terms any vacancy or vacancies then existing in the number of elected town meeting members in such precinct.

The terms of office of all elected town meeting members from every precinct revised as aforesaid shall cease upon the

election as hereinbefore provided of their successors. The town clerk shall, after every election of town meeting members, forthwith notify each such member by mail of his election.

SECTION 4. Any representative town meeting held under the provisions of this act, except as otherwise provided herein, shall be limited to the town meeting members elected under section three, together with such town meeting members at large as may be provided for by the by-laws of the town.

The town clerk shall notify the town meeting members of the time and place at which representative town meetings are to be held, the notices to be sent by mail at least seven days before the meeting. The town meeting members, as aforesaid, shall be the judges of the election and qualifications of their members. A majority of the town meeting members shall constitute a quorum for doing business; but a less number may organize temporarily and may adjourn from time to time, but no town meeting shall adjourn over the date of an election of town meeting members. All town meetings shall be public. The town meeting members as such shall receive no compensation. Subject to such conditions as may be determined from time to time by the members of the representative town meeting, any registered voter of the town who is not a town meeting member may speak at any representative town meeting, but shall not vote. A town meeting member may resign by filing a written resignation with the town clerk, and such resignation shall take effect on the date of such filing. A town meeting member who removes from the town shall cease to be a town meeting member, and a town meeting member who removes from the precinct from which he was elected to another precinct may serve only until the next annual town meeting.

SECTION 5. Nomination of candidates for town meeting members to be elected under this act shall be made by nomination papers, which shall bear no political designation, shall be signed by not less than ten voters of the precinct in which the candidate resides, and shall be filed with the town clerk at least ten days before the election; provided, that any town meeting member may become a candidate for re-election by giving written notice thereof to the town clerk at least thirty days before the election. No nomination papers shall be valid in respect to any candidate whose written acceptance is not thereon or attached thereto when filed.

SECTION 6. The articles in the warrant for every town meeting, so far as they relate to the election of the moderator, town officers and town meeting members, and, as herein provided, to referenda, and all matters to be acted upon and determined by ballot, shall be so acted upon and determined by the registered voters of the town in their respective precincts. All other articles in the warrant for any town meeting shall be acted upon and determined exclusively by town meeting members at a meeting to be held at such time and place as shall be set forth by the selectmen in the warrant

for the meeting, subject to the referendum provided for by section nine.

SECTION 7. A moderator shall be elected by ballot at each annual town meeting, and shall serve as moderator of all town meetings, except as otherwise provided by law, until a successor is elected and qualified. Nominations for and election of a moderator shall be as in the case of other elective town officers, and any vacancy in the office may be filled by the town meeting members at a meeting held for that purpose. If a moderator is absent, a moderator pro tempore may be elected by the town meeting members.

SECTION 8. Any vacancy in the full number of town meeting members from any precinct, whether arising from a failure of the registered voters thereof to elect, or from any other cause, may be filled, until the next annual election, by the remaining members of the precinct from among the registered voters thereof. Upon petition therefor, signed by not less than ten town meeting members from the precinct, notice of any vacancy shall promptly be given by the town clerk to the remaining members from the precinct in which the vacancy or vacancies exist, and he shall call a special meeting of such members for the purpose of filling such vacancy or vacancies. He shall cause to be mailed to every such member, not less than five days before the time set for the meeting, a notice specifying the object, time and place of the meeting. At the said meeting a majority of the members from such precinct shall constitute a quorum, and they shall elect from their own number a chairman and a clerk. The choice to fill any vacancy shall be by ballot, and a majority of the votes cast shall be required for a choice. The chairman and clerk shall count the ballots and shall make a certificate of the choice and forthwith file the same with the town clerk, together with a written acceptance by the member or members so chosen, who shall thereupon be deemed elected and qualified as a town meeting member or members, subject to the right of all the town meeting members to judge of the election and qualifications of the members as set forth in section four.

SECTION 9. A vote passed by any representative town meeting authorizing the expenditure of twenty thousand dollars or more as a special appropriation, or establishing a new board or office or abolishing an old board or office or merging two or more boards or offices, or fixing the term of office of town officers, where such term is optional, or increasing or reducing the number of members of a board, or adopting a new by-law, or amending an existing by-law, shall not be operative until after the expiration of five days, exclusive of Sundays and holidays, from the dissolution of the meeting. If, within said five days, a petition, signed by not less than five hundred registered voters of the town, containing their names and addresses as they appear on the list of registered voters, is filed with the selectmen asking that the question or questions involved in such a vote be submitted to the

registered voters of the town at large, then the selectmen, after the expiration of five days, shall forthwith call a special meeting for the sole purpose of presenting to the registered voters at large the question or questions so involved. The polls shall be opened at two o'clock in the afternoon and shall be closed not earlier than eight o'clock in the evening, and all votes upon any questions so submitted shall be taken by ballot, and the check list shall be used in the several precinct meetings in the same manner as in the election of town officers. The questions so submitted shall be determined by a majority vote of the registered voters of the town voting thereon, but no action of the representative town meeting shall be reversed unless at least twenty per cent of the total number of registered voters shall vote for such reversal. Each question so submitted shall be in the form of the following question, which shall be placed upon the official ballot: — "Shall the town vote to approve the action of the representative town meeting whereby it was voted (brief description of the substance of the vote)?" If such a petition is not filed within said period of five days, the vote of the representative town meeting shall become operative and effective upon the expiration of said period.

SECTION 10. The town, after the acceptance of Part I of this act, shall have the capacity to act through and to be bound by its town meeting members, who shall, when convened from time to time as herein provided, constitute representative town meetings; and the representative town meetings shall exercise exclusively, so far as will conform to the provisions of this act, all powers vested in the municipal corporation. Action in conformity with all provisions of law now or hereafter applicable to the transaction of town affairs in town meetings, shall, when taken by any representative town meeting in accordance with the provisions of this act, have the same force and effect as if such action had been taken in a town meeting open to all the voters of the town as organized and conducted before the establishment in said town of representative town meeting government.

SECTION 11. This act shall not abridge the right of the inhabitants of said town to hold general meetings, as secured to them by the constitution of this commonwealth; nor shall this act confer upon any representative town meeting in said town the power finally to commit the town to any measure affecting its municipal existence or substantially changing its form of government without action thereon by the voters of the town at large, using the ballot and the check list therefor.

SECTION 12. Part I of this act shall be submitted to the registered voters of the town of Braintree for acceptance at its annual town election in the year nineteen hundred and thirty-seven; and the selectmen of said town are hereby directed to insert in the regular warrant for such election an appropriate article relative to the matter to be acted on as aforesaid. The vote shall be taken by ballot in accordance with the provisions of the General Laws, so far as the same

may be applicable, in answer to the question which shall be placed upon the official ballot to be used in the several precincts for the election of town officers at said election:—"Shall Part I of an act passed by the general court in the year nineteen hundred and thirty-seven, entitled 'An Act establishing in the town of Braintree representative town government by limited town meetings', be accepted by this town?" If accepted by a majority of the voters voting thereon, Part I of this act shall thereupon take effect for all purposes incidental to the annual town election in said town in the year nineteen hundred and thirty-eight, and shall take full effect beginning with said election.

SECTION 13. If Part I of this act is rejected by the registered voters of the town of Braintree when submitted to said voters under section twelve it may be submitted for acceptance in like manner to such voters at any annual town election in said town not later than the annual town election in the year nineteen hundred and forty, and, if accepted by a majority of the voters voting thereon at such an election, shall thereupon take effect for all purposes incidental to the next annual town election in said town and shall take full effect beginning with said election.

PART II.

SECTION 14. Chapter fifty-six of the acts of nineteen hundred and thirty-six is hereby repealed and said repeal shall take effect upon the passage of this act.

Approved February 8, 1937.

Chap. 18 AN ACT AUTHORIZING TOWNS IN BARNSTABLE COUNTY TO APPROPRIATE MONEY FOR STOCKING INLAND WATERS IN SUCH TOWNS WITH FISH AND FOR LIBERATING GAME THEREIN.

Be it enacted, etc., as follows:

SECTION 1. Any town in Barnstable county may annually appropriate a sum, not exceeding five hundred dollars, for the purpose of stocking ponds and other inland waters located within its limits with fish and of liberating game within said limits and to meet necessary expenses incidental thereto, including the feeding of game so liberated. Two or more of said towns bordering upon the same pond or other inland waters may join in stocking the same hereunder.

SECTION 2. This act shall take effect upon its passage.

Approved February 11, 1937.

Chap. 19 AN ACT DESIGNATING A CERTAIN HIGHWAY AS THE GRAND ARMY OF THE REPUBLIC HIGHWAY.

Emergency
preamble.

Whereas, It is fitting and proper that the veterans of the civil war should be given further recognition for their valiant

services in the war of the rebellion from eighteen hundred and sixty-one to eighteen hundred and sixty-five; therefore,

Be it enacted, etc., as follows:

SECTION 1. That portion of the highway known as "U. S. Route 6" which begins in the town of Provincetown and extends to the boundary line between this commonwealth and the state of Rhode Island shall hereafter be designated and known as the Grand Army of the Republic Highway. The department of public works is hereby authorized and directed to erect along said portion of said highway suitable markers bearing said designation.

SECTION 2. This act shall take effect upon its passage.

Approved February 12, 1937.

AN ACT REQUIRING ALL SUBORDINATE OFFICERS OF THE STATE FARM TO TAKE AND SUBSCRIBE TO CERTAIN OATHS OF OFFICE. Chap. 20

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and twenty-five of the General Laws is hereby amended by striking out section ten, as appearing in the Tercentenary Edition, and inserting in place thereof the following:— *Section 10.* All subordinate officers of the state prison, state prison colony, Massachusetts reformatory, state farm or reformatory for women, before entering upon the performance of their official duties, shall take and subscribe the following oaths:

G. L. (Ter. Ed.), 125, § 10, amended.

Oaths of subordinate officers of state farm, form of.

I, A. B., do solemnly swear that I will bear true faith and allegiance to the commonwealth of Massachusetts, and will support the constitution thereof. So help me, God.

I, A. B., do solemnly swear that I will obey the lawful orders of all my superior officers. So help me, God.

I, A. B., do solemnly swear and affirm that I will faithfully and impartially discharge and perform all the duties incumbent on me in the office to which I have been appointed, according to the best of my abilities and understanding, agreeably to the rules and regulations of the constitution, the laws of the commonwealth and the rules provided in accordance with law for the government of the state prison (state prison colony, Massachusetts reformatory, state farm or reformatory for women). So help me, God.

The oaths may be administered by any officer authorized by law to administer oaths, and a record thereof shall be in the possession of the warden or superintendent.

SECTION 2. Each person holding office, on the effective date of this act, as a subordinate officer of the state farm shall, within fifteen days after said date, take and subscribe the oaths specified in section ten of said chapter one hundred and twenty-five.

Present officers required to take oath.

Approved February 12, 1937.

Chap. 21 AN ACT RELATIVE TO RETURNS TO THE SECRETARY OF THE COMMONWEALTH AND TO THE GENERAL COURT OF THE NUMBER OF ASSESSED POLLS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 51, § 61, amended.

Returns of registered voters, etc.

SECTION 1. Section sixty-one of chapter fifty-one of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the third line, the words "the number of assessed polls," — so as to read as follows: — *Section 61.* They shall forthwith, after the final day for registration before a biennial state or regular city or town election, certify to the state secretary the number of registered voters in the city or town, and in each ward and precinct therein, and the number of persons entitled to vote for a part only of the whole number of officers to be chosen at a state election in such city or town and in each ward and precinct therein, with the titles of the officers for whom such persons are entitled to vote.

In cities where the city clerk is not a member of the board of registrars, the registrars shall likewise, after the last day for registration for a city election, certify to the city clerk the number of registered voters in the city, and in each ward and voting precinct therein.

G. L. (Ter. Ed.), 54, § 133, amended.

Report of registered voters to the general court.

SECTION 2. Section one hundred and thirty-three of chapter fifty-four of the General Laws, as so appearing, is hereby amended by striking out, in the second line, the words "the number of assessed polls and", — so as to read as follows: — *Section 133.* The state secretary shall before February first of each year report to the general court the number of registered voters in each city and town at the date of the last preceding state, and city or town election, as the case may be, and the total number of persons who voted at each such election in every city and town, and in every voting precinct therein, and, in the year following a state election, the number of votes received by each candidate for nomination and for election for a state office, and for election for a state committee, arranged by cities, towns and districts, and a concise statement of other matters relating to elections, with such suggestions as he deems advisable.

Approved February 12, 1937.

Chap. 22 AN ACT REQUIRING THE PRINTING ON OFFICIAL BALLOTS OF ADDRESSES OF CANDIDATES FOR DELEGATES TO POLITICAL CONVENTIONS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 53, § 34, etc., amended.

Section thirty-four of chapter fifty-three of the General Laws, as amended by section seven of chapter three hundred and ten of the acts of nineteen hundred and thirty-two, is hereby further amended by striking out the fourth paragraph and inserting in place thereof the following: —

Against the name of a candidate for an elective office, for delegate or alternate delegate to a state or national convention, for a ward or town committee, or for a member of a state committee, shall be printed the street and number, if any, of his residence.

Addresses of certain candidates to be printed on official ballots.

Approved February 12, 1937.

AN ACT BRINGING INTO CONFORMITY WITH FEDERAL LAW
THE PROVISIONS RELATIVE TO MEETINGS OF PRESIDENTIAL
ELECTORS.

Chap. 23

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and thirty-eight of chapter fifty-four of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the eighth line, the words "first Wednesday in January" and inserting in place thereof the words:— date fixed under federal law,—so that the last paragraph will read as follows:—

G. L. (Ter. Ed.), 54, § 138, amended.

If the whole number of electors has not been chosen when the electors meet on the date fixed under federal law, or if an elector has died or is then absent, the electors present shall forthwith choose electors from the citizens of the commonwealth to complete the full number.

Presidential electors, vacancies, etc.

SECTION 2. Section one hundred and forty-eight of said chapter fifty-four, as so appearing, is hereby amended by striking out, in the second line, the words "first Wednesday in January" and inserting in place thereof the words:— date fixed by federal law,—so as to read as follows:—*Section 148.* The persons chosen as presidential electors shall meet at the state house on the date fixed by federal law next following their election at three o'clock in the afternoon and organize by the choice of a presiding officer and secretary. The state secretary shall call the meeting to order, call the roll of electors, and preside until a presiding officer shall be chosen. The secretary of the electors shall keep a journal of their proceedings and deposit the same in the office of the state secretary, where it shall be recorded and filed.

G. L. (Ter. Ed.), 54, § 148, amended.

Organization meeting, etc.

Approved February 12, 1937.

AN ACT ESTABLISHING THE DATE FOR FILING WITH THE
SECRETARY OF THE COMMONWEALTH CERTAIN RETURNS
RELATIVE TO DELEGATES TO POLITICAL CONVENTIONS AND
TO MEMBERS OF POLITICAL COMMITTEES AND RELATIVE TO
OTHER MATTERS PRELIMINARY TO PARTY PRIMARIES.

Chap. 24

Be it enacted, etc., as follows:

SECTION 1. Section nine of chapter fifty-two of the General Laws, as amended by section three of chapter three hundred and ten of the acts of nineteen hundred and thirty-two, is hereby further amended by striking out, in the eleventh line, the word "March" and inserting in place thereof the word:— February,—so as to read as follows:

G. L. (Ter. Ed.), 52, § 9, etc., amended.

State committees,
number of
members of.

— *Section 9.* The state committee shall fix the number of district delegates and the number of district alternate delegates, not less than one from each congressional district, and the number of delegates and alternate delegates at large, to the national convention. City and town committees shall fix the number of members of ward and town committees, not less than three for each ward or town. Notice of the number of delegates and members of committees to be elected shall be given by the state, city or town committee, as the case may be, to the state secretary on or before February first. In case a city or town committee fails to fix the number of the members of a ward or town committee and to give notice thereof as aforesaid to the state secretary, the number of members of such a ward or town committee to be elected shall not exceed ten.

G. L. (Ter.
Ed.), 53, § 42,
etc., amended.

Primaries to
be held by
wards, etc.,
notice of.

SECTION 2. Section forty-two of chapter fifty-three of the General Laws, as amended by section ten of said chapter three hundred and ten, is hereby further amended by striking out, in the fifth line, the word "March" and inserting in place thereof the word: — February, — so as to read as follows: — *Section 42.* In cities or towns where the aldermen or selectmen determine the question of holding primaries by wards, precincts, or groups of precincts, they shall give notice of their determination to the state secretary on or before February first; except that in case of primaries before special elections they shall give such notice at least fourteen days before the primaries.

G. L. (Ter.
Ed.), 53, § 54,
etc., amended.

State conventions of
political
parties.

SECTION 3. Section fifty-four of said chapter fifty-three, as most recently amended by section one of chapter eleven of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out, in the twenty-sixth line, the word "March" and inserting in place thereof the word: — February, — so as to read as follows: — *Section 54.* A political party shall, upon the call of its state committee, but not later than June thirtieth, in a year in which a biennial state election is held, hold a state convention for the purpose of adopting a platform, electing such number of members at large of the state committee as may be fixed by the convention, nominating presidential electors and endorsing for nomination candidates for offices to be filled by all the voters of the commonwealth, to be voted for at the ensuing state primary, and for such other purposes consistent with law as the convention may determine. Such convention shall consist of the delegates elected at the party primary as hereinbefore provided. The number of delegates shall be one from each ward and town and one additional for every fifteen hundred votes, or major fraction thereof, above the first fifteen hundred votes cast at the preceding biennial state election in such ward or town for the political party candidate for governor. At the second party primary following the redivision of a city into wards under the provisions of section one of chapter fifty-four there shall be elected one delegate from each ward as established by such

redivision and such additional delegates, if any, from such city as would be elected from the wards thereof if no such redivision had been made. The state committee shall apportion the number of said additional delegates by wards and notify the state secretary of such apportionment on or before February first preceding said party primary. In case of a vacancy occurring for any reason except a tie vote such vacancy shall not be filled. Nothing herein contained shall affect or diminish the operation of the laws relating to state primaries contained in sections forty-one to fifty-three A, inclusive.

Approved February 12, 1937.

AN ACT ADVANCING THE TIME FOR FILING NOMINATION PAPERS FOR CERTIFICATION IN CERTAIN CASES. Chap. 25

Be it enacted, etc., as follows:

SECTION 1. Section seven of chapter fifty-three of the General Laws, as most recently amended by section one of chapter four of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out the third sentence and inserting in place thereof the following:— Every nomination paper of a candidate for a state office and, except where otherwise provided by law, of a candidate for a city or town office, shall be submitted, on or before five o'clock in the afternoon of the seventh day preceding the day on which it must be filed, to the registrars of the city or town where the signers appear to be voters.

G. L. (Ter. Ed.), 53, § 7, etc., amended.

Nomination papers, date of filing.

SECTION 2. Said chapter fifty-three is hereby further amended by striking out section forty-six, as most recently amended by section two of said chapter four, and inserting in place thereof the following:— *Section 46.* Every nomination paper shall be submitted, on or before five o'clock in the afternoon of the seventh day preceding the day on which it must be filed, to the registrars of the city or town in which the signers appear to be voters, who shall check each name to be certified by them on the nomination paper and shall forthwith certify thereon the number of signatures so checked which are names of voters both in the city or town and in the district for which the nomination is made, and who are not enrolled in any other party than that whose nomination the candidate seeks, and only names so checked shall be deemed to be names of qualified voters for the purposes of nomination.

G. L. (Ter. Ed.), 53, § 46, etc., amended.

Certification.

The provisions of section seven relative to the number of names to be certified and received, and to names not certified in the first instance, shall apply to such papers. For the purpose of certifying to the names on primary nomination papers the registrars shall hold meetings on the four Tuesdays next preceding the date on which such papers are required to be filed with the state secretary, except that for primaries before special elections the meetings shall be held on the two Tuesdays next preceding such date.

No person shall be a candidate for nomination for more than one office; but this shall not apply to candidates for membership in political committees or delegations to the state convention.

Approved February 12, 1937.

Chap. 26 AN ACT RELATIVE TO LIMITING THE TIME FOR RECEIVING
WITHDRAWALS OF CANDIDATES FOR ELECTIVE PUBLIC
OFFICE.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 53, § 13,
etc., amended.

Withdrawal
of names of
candidates.

Section thirteen of chapter fifty-three of the General Laws, as amended by section four of chapter three hundred and thirteen of the acts of nineteen hundred and thirty-three, is hereby further amended by inserting after the word "papers" in the sixth line, as appearing in the Tercentenary Edition, the words: — and no such requests for withdrawals shall be received after such time has expired, — so as to read as follows: — *Section 13.* A person nominated as a candidate for any state, city or town office may withdraw his name from nomination by a request signed and duly acknowledged by him, and filed with the officer with whom the nomination was filed, within the time prescribed by section eleven for filing objections to certificates of nomination and nomination papers and no such requests for withdrawals shall be received after such time has expired. This section shall be in force in any city which accepts section one hundred and three A of chapter fifty-four, any special provision of law to the contrary notwithstanding.

Approved February 12, 1937.

Chap. 27 AN ACT RELATIVE TO THE APPOINTMENT OF TEMPORARY
ADDITIONAL ELECTION OFFICERS IN CITIES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 54, § 11,
etc., amended.

Election officers
in cities,
appointment of.

Section eleven of chapter fifty-four of the General Laws, as most recently amended by section one of chapter one hundred and fifty-eight of the acts of nineteen hundred and thirty-four, is hereby further amended by adding after the word "following" in the sixteenth line the following new sentence: — After said September first, the mayor, with the approval of the aldermen, may, from time to time, appoint temporary additional inspectors to count and tabulate the votes, — and by striking out, in the seventeenth line, the words "Such appointment" and inserting in place thereof the words: — Any appointment made under authority of this section, — so as to read as follows: — *Section 11.* The mayor of every city, except where city charters provide otherwise and except as provided in section eleven A, shall annually not earlier than June fifteenth nor later than August fifteenth appoint as election officers for each voting precinct, one warden, one deputy warden, one clerk, one deputy clerk, four inspectors and four deputy inspectors,

who shall, at the time of their appointment, be enrolled voters in the ward of which such precinct forms a part. He may, in like manner, appoint two inspectors and two deputy inspectors in addition, and such additional inspectors to count and tabulate the votes as he may deem necessary. Every such appointment shall be filed in the office of the city clerk of such city within forty-eight hours after it is made, and shall be acted on by the aldermen not less than three days after the filing of such appointment and on or before September first following. After said September first, the mayor, with the approval of the aldermen, may, from time to time, appoint temporary additional inspectors to count and tabulate the votes. Any appointment made under authority of this section shall be open to public inspection.

Approved February 12, 1937.

AN ACT TO AUTHORIZE THE COUNTY TREASURER OF ESSEX COUNTY TO MAKE A CHARGE AGAINST AN APPROPRIATION FOR SAID COUNTY FOR THE CURRENT YEAR.

Chap. 28

Be it enacted, etc., as follows:

The county treasurer of Essex county is hereby authorized to charge to the appropriation for criminal costs in the superior court made for said county for the current year the sum of three hundred and fourteen dollars and sixty-two cents, being the difference between the amount advanced on July seventeenth, nineteen hundred and thirty-four, from the funds of said county for expenses to be incurred in accordance with the provisions of section twenty-five of chapter twelve of the General Laws and the amount of approved vouchers and cash representing such advance returned to said county treasurer on October eighteenth, nineteen hundred and thirty-four.

Approved February 12, 1937.

AN ACT MAKING FURTHER PROVISIONS RELATIVE TO THE CONSTRUCTION AND LEASING BY THE COMMONWEALTH OF A FISH AND COMMERCIAL PIER IN GLOUCESTER HARBOR.

Chap. 29

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Emergency
preamble.*

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter three hundred and eleven of the acts of nineteen hundred and thirty-one, as amended by section three of chapter three hundred and three of the acts of nineteen hundred and thirty-six, is hereby further amended by inserting after the word "forty-nine" in the seventeenth line the following: — Said lessee corporation, if not the city of Gloucester, shall be a corporation organized for the purpose of administering said pier and its

facilities without profit and in such manner that said pier and its facilities shall be available, to the extent of their capacity, to fishermen, fish dealers and the fishing industry generally, subject to such reasonable regulations under the lease as the corporation may deem necessary or desirable for the purpose, and to the right of the corporation from time to time to sublease or license the use of portions of such pier or its facilities, or structures on such pier, to persons engaged in the fishing industry or business incidental thereto in such manner as will, in the judgment of the corporation, best and most equitably promote the purposes of this chapter; and the members of the corporation shall be the members of the municipal council, the city treasurer and city auditor of the city of Gloucester from time to time in office. The city of Gloucester may be the lessee of said pier and buildings, which in such case shall be administered by the municipal council of said city or by a commission appointed by it, — so as to read as follows: — *Section 3.* No work authorized by section one shall be done unless prior to June first, nineteen hundred and thirty-seven, the city of Gloucester shall effect the transfer to the commonwealth of property authorized to be acquired by the preceding section, and shall agree to lay out, construct and maintain at its own expense a public way, suitable for heavy trucking, and extending from the site of the proposed pier to an existing public way which is a main artery of travel; nor unless prior to said date a corporation incorporated under the laws of the commonwealth, hereinafter called the lessee, the financial responsibility of which is satisfactory to the commissioner of corporations and taxation, shall execute a lease of said pier together with the buildings thereon, for a term beginning on the date of the completion by the department of the work authorized by section one and ending September thirtieth, nineteen hundred and forty-nine. Said lessee corporation, if not the city of Gloucester, shall be a corporation organized for the purpose of administering said pier and its facilities without profit and in such manner that said pier and its facilities shall be available, to the extent of their capacity, to fishermen, fish dealers and the fishing industry generally, subject to such reasonable regulations under the lease as the corporation may deem necessary or desirable for the purpose, and to the right of the corporation from time to time to sublease or license the use of portions of such pier or its facilities, or structures on such pier, to persons engaged in the fishing industry or business incidental thereto in such manner as will, in the judgment of the corporation, best and most equitably promote the purposes of this chapter; and the members of the corporation shall be the members of the municipal council, the city treasurer and city auditor of the city of Gloucester from time to time in office. The city of Gloucester may be the lessee of said pier and buildings, which in such case shall be administered by the municipal council of said city or by a commission appointed by it. Said lease shall provide that the lessee shall pay to the commonwealth

a rental not less than twenty thousand dollars a year, and shall be subject to such provisions and conditions as may be agreed upon by the department and the lessee.

SECTION 2. Section one of said chapter three hundred and eleven, as amended by section one of said chapter three hundred and three, is hereby further amended by adding at the end thereof the following new sentence: — For the purpose of carrying out the provisions of this section, the department may accept any grant of federal funds and may use the same in addition to the amount made available therefor under section five.

Approved February 15, 1937.

AN ACT TO AUTHORIZE THE PLACING OF THE OFFICE OF CHIEF OF POLICE AND THE POSITIONS OF MEMBERS OF THE REGULAR OR PERMANENT POLICE FORCE OF THE TOWN OF WESTWOOD UNDER THE CIVIL SERVICE LAWS. Chap. 30

Be it enacted, etc., as follows:

SECTION 1. The office of chief of police and the positions of members of the regular or permanent police force of the town of Westwood shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations relating to police officers in towns, and the tenure of office of any chief of police or any member of such police force shall be unlimited, subject, however, to said laws, but the chief of police and the members of the regular or permanent police force of said town on said effective date may continue to serve as such without taking a civil service examination.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at the annual town meeting in the current year in the form of the following question which shall be placed upon the official ballot to be used for the election of town officers at said meeting: "Shall an act passed by the general court in the year nineteen hundred and thirty-seven, entitled, 'An Act to authorize the placing of the office of chief of police and the positions of members of the regular or permanent police force of the town of Westwood under the civil service laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take effect, but not otherwise.

Approved February 15, 1937.

AN ACT TO AUTHORIZE THE PLACING OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF MEDFIELD UNDER THE CIVIL SERVICE LAWS. Chap. 31

Be it enacted, etc., as follows:

SECTION 1. The office of chief of police of the town of Medfield shall, upon effective date of this act, become subject to the civil service laws and rules and regulations relating to police officers in towns, and the tenure of office of any incum-

bent thereof shall be unlimited, subject, however, to such laws; provided, that the present incumbent of said office may continue to serve as such without taking a civil service examination.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the current year in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: "Shall an act passed by the General Court in the year nineteen hundred and thirty-seven entitled 'An Act to authorize the placing of the office of chief of police of the town of Medfield under the civil service laws', be accepted?" If a majority of the votes in answer to said question are in the affirmative, then this act shall thereupon take effect, but not otherwise. *Approved February 15, 1937.*

Chap. 32 AN ACT VALIDATING A CERTAIN VOTE OF THE TOWN OF DRACUT PASSED AT A SPECIAL MEETING IN THE YEAR NINETEEN HUNDRED AND THIRTY-SIX BY WHICH IT REVOKED ITS ACCEPTANCE OF THE CIVIL SERVICE LAWS AS APPLICABLE TO ITS POLICE DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. The action of the inhabitants of the town of Dracut, at a special town meeting held November seventeenth, nineteen hundred and thirty-six, in voting to revoke its acceptance of the civil service laws as applicable to its police department, is hereby ratified and confirmed, and shall have the same effect and validity as if the voting on the question of revoking such acceptance had been authorized by law, and the civil service laws and rules and regulations made thereunder shall no longer apply to the police department of said town.

SECTION 2. Nothing contained in this act shall prevent the said town from hereafter accepting the provisions of chapter thirty-one of the General Laws applicable to its police department.

SECTION 3. This act shall take effect upon its passage.

Approved February 16, 1937.

Chap. 33 AN ACT REPEALING CERTAIN PROVISIONS OF LAW RELATIVE TO THE USE OF PARK LAND IN THE TOWN OF HARWICH FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter eighty-five of the acts of nineteen hundred and thirty-six is hereby repealed.

SECTION 2. This act shall take effect upon its passage.

Approved February 16, 1937.

AN ACT AUTHORIZING CITIES TO INCREASE THEIR APPROPRIATIONS FOR RESERVE FUNDS, SO CALLED. *Chap. 34*

Whereas, The deferred operation of this act would defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

Section five A of chapter forty of the General Laws, inserted by chapter forty of the acts of nineteen hundred and thirty-six, is hereby amended by inserting after the word "one" in the fourth line the words: — and one half, — so as to read as follows: — *Section 5A.* To provide for extraordinary or unforeseen expenditures, a city may, prior to the date when the tax rate for the year is fixed, appropriate a sum not exceeding one and one half per cent of the tax levy for the preceding year to be known as a reserve fund. No direct drafts against this fund shall be made, but transfers from the fund may from time to time be voted by the city council upon recommendation of the mayor, and the city auditor or officer having similar duties shall make such transfers as are so voted. G. L. (Ter. Ed.), 40, § 5A, amended.

Reserve fund in cities.

Approved February 16, 1937.

AN ACT PROVIDING THAT THE CHAIRMAN OF THE BOARD OF SEWER COMMISSIONERS OF THE TOWN OF MILFORD SHALL BE A TOWN MEETING MEMBER AT LARGE IN SAID TOWN. *Chap. 35*

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter two hundred and seventy-one of the acts of nineteen hundred and thirty-three is hereby amended by inserting after the word "welfare" in the fifteenth line the words: — , the chairman of the board of sewer commissioners, — so that the first sentence will read as follows: — Any representative town meeting held under the provisions of this act, except as otherwise provided herein, shall be limited to the voters elected under section two, together with the following, designated as town meeting members at large; namely, any member of the general court of the commonwealth from the town, the moderator, the town clerk, the selectmen, the town treasurer, the town counsel, the highway surveyor, the chairman of the trustees of the public library, the chairman of the finance committee, the chairman of the school committee, the chairman of the board of assessors, the chairman of the board of health, the chairman of the park commission, the chairman of the board of town cemeteries, the chairman of the registrars of voters, the tax collector, the chairman of the board of public welfare, the chairman of the board of sewer commissioners and the town accountant.

SECTION 2. This act shall be submitted for acceptance to the town meeting members of the town of Milford at the

next annual town meeting under an article which the selectmen of said town are hereby directed to insert in the warrant for such meeting, and shall take full effect upon its acceptance by a majority of the town meeting members voting thereon.

Approved February 16, 1937.

Chap. 36 AN ACT RELATIVE TO EXPENDITURES BY COUNTIES BEFORE THE ENACTMENT OF THE ANNUAL APPROPRIATION ACT.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 35, § 34, amended.

Payments from un-appropriated balances.

Chapter thirty-five of the General Laws is hereby amended by striking out section thirty-four, as appearing in the Tercentenary Edition, and inserting in place thereof the following:— *Section 34.* After December thirty-first and before the regular appropriations have been made by the general court, the county commissioners and other officers authorized to incur liabilities payable by the county may incur liability for general maintenance and operation of regular county activities at a rate of expenditure which does not exceed in any month the sum spent for a similar purpose in any one month in the preceding year; provided, that said commissioners or officers may expend in any one month for any office or board created by law an amount not exceeding one twelfth of the estimated cost for said year for said office or board. Payments therefor may be made from any available funds in the county treasury, to be charged to the regular appropriation when made. No new or unusual expense shall be incurred, or permanent contract made, or salary increased, until an appropriation sufficient therefor has been made by the general court.

Approved February 16, 1937.

Chap. 37 AN ACT AUTHORIZING THE APPOINTMENT TO THE PERMANENT FORCE OF THE FIRE DEPARTMENT OF THE TOWN OF MILFORD OF CERTAIN CALL MEN IN SAID DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. The town of Milford, on the recommendation of the board of engineers of the fire department, may promote to membership on the permanent force, without civil service examination and without any probationary period of service required under chapter thirty-one of the General Laws and the rules and regulations made thereunder, any person in the call fire department of said town upon the date when said town accepted section forty-eight of chapter thirty-one of the General Laws, or corresponding provisions of earlier law; provided, that every such person is certified to be competent physically for the duty by the town physician.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Milford at the annual town meeting to be held in the current year by an article which the selectmen of said town are hereby directed to insert in

the warrant for such meeting, and shall take effect in said town upon acceptance by a majority of the town meeting members of said town voting thereon.

Approved February 17, 1937.

AN ACT RELATIVE TO THE OBSERVANCE OF MEMORIAL DAY. *Chap. 38*

Be it enacted, etc., as follows:

Clause eighteenth of section seven of chapter four of the General Laws, as most recently amended by chapter one hundred and eighty of the acts of nineteen hundred and thirty-six, is hereby further amended by inserting after the word "to" in the tenth line the words: — May thirtieth and, — and by inserting after the word "when" in the thirteenth line the words: — May thirtieth or, — so as to read as follows: — Eighteenth, "Legal holiday" shall include January first, February twenty-second, April nineteenth, May thirtieth, July fourth, the first Monday of September, October twelfth, November eleventh, Thanksgiving day and Christmas day, or the day following when any of the five days first mentioned, October twelfth, November eleventh, or Christmas day occurs on Sunday; and the public offices shall be closed on all of said days; and all laws, statutes, orders, decrees, rules and regulations regulating the observance of the Lord's day shall be applicable to May thirtieth and November eleventh between the hours of seven o'clock ante meridian and one o'clock post meridian, or during the same hours on the day following when May thirtieth or November eleventh occurs on Sunday; and all laws, statutes, orders, decrees, rules and regulations regulating the keeping open of retail stores on the Lord's day shall be applicable to the keeping open of retail stores on October twelfth between the hours of seven o'clock ante meridian and one o'clock post meridian, or during the same hours on the day following when October twelfth occurs on Sunday. "Legal holiday" shall also include, with respect to Suffolk county only, June seventeenth, or the day following when June seventeenth occurs on Sunday, and the public offices in said county shall be closed on said day.

G. L. (Ter. Ed.), 4, § 7, etc., amended.

"Legal holiday" defined.

Approved February 19, 1937.

AN ACT RELATIVE TO CONTRIBUTIONS BY THE COUNTY OF BARNSTABLE TO THE COST OF CONSTRUCTING SEA WALLS OR OTHER WORKS TO BE BUILT BY THE DEPARTMENT OF PUBLIC WORKS. *Chap. 39*

Be it enacted, etc., as follows:

Section one of chapter two hundred and seventy-five of the acts of nineteen hundred and thirty-three, as amended by chapter thirty-six of the acts of nineteen hundred and thirty-five, is hereby further amended by striking out, in the fifth to the seventh lines, inclusive, the words " , nineteen hundred

and thirty-four, nineteen hundred and thirty-five, nineteen hundred and thirty-six and nineteen hundred and thirty-seven" and inserting in place thereof the words: — to nineteen hundred and forty, inclusive, — and by striking out, in the sixteenth line, the word "thirty-four" and inserting in place thereof the word: — sixty-eight, — so as to read as follows: — *Section 1.* The county of Barnstable is hereby authorized to contribute to the cost of constructing sea walls or other works to be built by the department of public works during the years nineteen hundred and thirty-three to nineteen hundred and forty, inclusive, under the provisions of section eleven of chapter ninety-one of the General Laws for the protection of the shores of the towns in said county from erosion by the sea, and the treasurer of said county, with the approval of the county commissioners, may pay the county's proportion of such cost from the highway appropriation or, for the purpose of so contributing, may borrow from time to time on the credit of the county such sums as may be necessary, not exceeding, in the aggregate, sixty-eight thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Barnstable County Shore Protection Loan, Act of 1933. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Such bonds or notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell such securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Approved February 19, 1937.

Chap. 40 AN ACT REQUIRING THE PERIODIC REPLACEMENT OF METERS FOR MEASURING GAS BY MUNICIPAL LIGHTING PLANTS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 164, § 115A, etc., amended.

SECTION 1. Section one hundred and fifteen A of chapter one hundred and sixty-four of the General Laws, inserted by section one of chapter two hundred and fifty-nine of the acts of nineteen hundred and thirty-six, is hereby amended by inserting after the word "company" in the second and fourth lines, in each instance, the words: — or municipal lighting plant, — so as to read as follows: — *Section 115A.* Each meter for measuring gas provided by a gas company or municipal lighting plant to a consumer shall, not later than seven years from the date of installation or replacement, be removed by the company or municipal lighting plant from the premises of the consumer and replaced by it with such a meter which has been newly tested, sealed and stamped in accordance with law.

Replacement of gas meters.

SECTION 2. A municipal lighting plant shall be deemed to be complying with the provisions of this act with respect to meters used for measuring gas provided by it prior to the effective date hereof if, beginning in the year nineteen hundred and thirty-eight, it shall annually remove from the premises of its consumers at least fifteen per cent of the total number of such meters in use on such effective date and replace them with such meters which have been newly tested, sealed and stamped in accordance with law.

Temporary provisions.

SECTION 3. This act shall take effect on January first, nineteen hundred and thirty-eight.

Effective date.

Approved February 19, 1937.

AN ACT RELATIVE TO THE DISPOSITION OF INCOME RECEIVED AT COUNTY AGRICULTURAL SCHOOLS. *Chap. 41*

Be it enacted, etc., as follows:

Section thirty of chapter seventy-four of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out all after the word "treasurer" in the last line, — so as to read as follows: — *Section 30.* Miscellaneous income of the Bristol county agricultural school, the Essex county agricultural school and the Norfolk county agricultural school, including the tuition of non-resident pupils and receipts from the sale of products and work of pupils, shall be paid to the county treasurer.

G. L. (Ter. Ed.), 74, § 30, amended.

Disposition of income.

Approved February 19, 1937.

AN ACT TO ENABLE THE MIDDLESEX COUNTY COMMISSIONERS TO ACQUIRE ADDITIONAL LAND FOR THE PURPOSES OF THE DISTRICT COURT OF LOWELL AT LOWELL IN SAID COUNTY. *Chap. 42*

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Middlesex county are hereby authorized to acquire by purchase, or by eminent domain under chapter seventy-nine of the General Laws, additional land adjacent to the lands owned by the said county and used for the district court of Lowell in the city of Lowell in said county, and, for said purpose, may expend out of any appropriation for county buildings a sum not exceeding fifteen thousand dollars.

SECTION 2. This act shall take effect upon its acceptance during the current year by the county commissioners of said county, but not otherwise.

Approved February 19, 1937.

Chap. 43 AN ACT MAKING A CORRECTIVE CHANGE WITH RESPECT TO THE PENALTY IMPOSED FOR VIOLATION OF CERTAIN PROVISIONS OF LAW RELATIVE TO THE REDEMPTION OF LAND TAKEN OR SOLD FOR TAXES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 60, § 104,
amended.

Penalty.

Chapter sixty of the General Laws is hereby amended by striking out section one hundred and four, as appearing in the Tercenary Edition, and inserting in place thereof the following: — *Section 104.* Violation by any person of the last sentence of the second paragraph of section sixty-two shall be punished by a fine of not more than one hundred dollars.

Approved February 19, 1937.

Chap. 44 AN ACT RELATIVE TO COSTS IN CERTAIN ACTIONS OF TORT ARISING OUT OF THE OPERATION OF A MOTOR VEHICLE, WHERE THE PLAINTIFF DOES NOT RECOVER FINAL JUDGMENT FOR MORE THAN ONE HUNDRED DOLLARS AS DAMAGES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), § 261, § 4,
amended.

Costs in
superior court.

SECTION 1. Section four of chapter two hundred and sixty-one of the General Laws, as appearing in the Tercenary Edition, is hereby amended by inserting after the word "court" in the third line the words: —, or in an action of tort arising out of the operation of a motor vehicle which has been removed by the plaintiff to the superior court under section one hundred and two A of chapter two hundred and thirty-one, — so as to read as follows: — *Section 4.* If, in a personal action, except an action of replevin or an action under section fifteen of chapter two hundred and fifty-three, which is commenced in the superior court, or in an action of tort arising out of the operation of a motor vehicle which has been removed by the plaintiff to the superior court under section one hundred and two A of chapter two hundred and thirty-one, the plaintiff does not recover final judgment for more than one hundred dollars as damages, he shall recover no costs, unless the right to an easement or the title to land is drawn in question and the justice before whom the action is tried so certifies, or unless the plaintiff's claim, as established on the trial, exceeds one hundred dollars and is reduced to that amount or less by set-offs which could not have been proved in payment.

Effective
date.

SECTION 2. This act shall take effect on September first of the current year and shall apply only in case of actions commenced thereafter.

Approved February 19, 1937.

AN ACT RELATIVE TO THE TIME FOR FILING CERTAIN ACCEPTANCES AND CERTIFICATES OF NOMINATION. *Chap. 45*

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter fifty-three of the General Laws, as amended by section one of chapter one hundred and sixteen of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out, in the sixth and seventh lines, the words "before the last hour for filing certificates of nomination for such office", and inserting in place thereof the words: — within six days succeeding five o'clock in the afternoon of the day of holding the primaries, — so as to read as follows: — *Section 3.* A person whose name is not printed on a state, city or town primary ballot as a candidate for an office but who receives sufficient votes to nominate him therefor, shall file a written acceptance of the nomination in the office of the state secretary or the city or town clerk, as the case may be, within six days succeeding five o'clock in the afternoon of the day of holding the primaries, otherwise his name shall not be printed on the ballot as a candidate for that office at the ensuing election.

G. L. (Ter. Ed.), 53, § 3, etc., amended.

Acceptance of nomination by candidate whose name was not printed on primary ballot.

SECTION 2. Section ten of said chapter fifty-three, as most recently amended by chapter one hundred and eleven of the acts of nineteen hundred and thirty-four, is hereby further amended by striking out the first paragraph and inserting in place thereof the following: — All certificates of nomination and nomination papers of candidates for offices to be filled at a state election shall be filed on or before the twelfth Tuesday preceding the day of the election; but if there is a special election to fill any state office, all certificates of nomination and nomination papers shall be filed on or before the fourth Tuesday preceding the day of such election.

G. L. (Ter. Ed.), 53, § 10, etc., amended.

Time of filing certificates of nomination, etc.

Approved February 19, 1937.

AN ACT AUTHORIZING THE SALE BY COUNTY COMMISSIONERS OF CERTAIN COUNTIES OF COPIES OF A COMPILATION OF COUNTY LAWS AND COURT DECISIONS RELATIVE THERETO. *Chap. 46*

Be it enacted, etc., as follows:

The county commissioners of the several counties, except Suffolk and Nantucket, are hereby authorized to sell copies of a compilation of laws and court decisions relating to county laws now being printed in book form for said counties. Such books shall be sold at a price, substantially equal to the cost thereof, to be fixed by the director of accounts, and all receipts from such sales in any county shall be paid into the treasury thereof.

Approved February 19, 1937.

Chap. 47 AN ACT DESIGNATING THE NEW BRIDGE OVER THE MYSTIC RIVER, BETWEEN THE CITIES OF SOMERVILLE AND MEDFORD, AS THE WELLINGTON MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The new bridge constructed by the metropolitan district commission over the Mystic river, between the cities of Somerville and Medford, shall be designated and known as the Wellington Memorial Bridge, and a suitable tablet or marker, bearing said designation shall be attached to said bridge by the commission. *Approved February 19, 1937.*

Chap. 48 AN ACT TO AUTHORIZE THE PLACING OF THE OFFICE OF CHIEF OF POLICE AND THE POSITIONS OF MEMBERS OF THE REGULAR OR PERMANENT POLICE FORCE OF THE TOWN OF CHELMSFORD UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The office of chief of police and the positions of members of the regular or permanent police force of the town of Chelmsford shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations relating to police officers in towns, and the tenure of office of any chief of police or member of such police force of said town shall be unlimited, subject, however, to said laws, but the chief of police and the members of the regular or permanent police force of said town on said effective date may continue to serve as such without taking a civil service examination.

SECTION 2. This act shall be submitted for acceptance to the voters of said town at the annual town meeting in the current year in the form of the following question which shall be placed upon the official ballot to be used for the election of town officers at said meeting: "Shall an act passed by the general court in the year nineteen hundred and thirty-seven, entitled, 'An Act to authorize the placing of the office of chief of police and the positions of members of the regular or permanent police force of the town of Chelmsford under the civil service laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take effect, but not otherwise. *Approved February 20, 1937.*

Chap. 49 AN ACT FOR THE FURTHER PROTECTION OF THE FISHERIES IN THE VICINITY OF NANTUCKET.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and eighty-four of the acts of eighteen hundred and seventy is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* It shall not be lawful for any per-

son or persons to take any fish with any kind of net, or to set any net for the purpose of taking any fish therewith, within the coastal waters, as defined by section one of chapter one hundred and twenty-nine A of the General Laws, inserted by section one of chapter three hundred and twenty-nine of the acts of nineteen hundred and thirty-three, which are adjacent to Nantucket, Tuckernuck, Smith's, Muskegat and Gravel islands, without first obtaining permission of the selectmen of Nantucket.

SECTION 2. Said chapter two hundred and eighty-four is hereby further amended by striking out section two and inserting in place thereof the following:— *Section 2.* Every person violating any provision of this act, or of any order, by-law, rule or regulation made under authority thereof, shall forfeit and pay for each offence a sum not less than fifty nor more than five hundred dollars.

SECTION 3. Said chapter two hundred and eighty-four is hereby further amended by striking out section three and inserting in place thereof the four following new sections:— *Section 3.* The town of Nantucket is hereby authorized at any annual town meeting to adopt orders and by-laws, not repugnant to law, regulating and governing fisheries under this act, and the selectmen of said town may make rules and regulations, not repugnant to law or contrary to such orders and by-laws, if any, regulating and governing such fisheries.

Section 3A. The selectmen of the town of Nantucket shall annually, on or before March fifteenth, submit to the state supervisor of marine fisheries a list of one or more persons to serve as fish wardens under this act, and said supervisor shall, not later than April first following, appoint as fish wardens such of the persons named on said list as in his opinion are qualified to act as such, who shall be sworn by him to the faithful discharge of their duty and whose duty it shall be to prosecute for every violation of any provision of this act or of any order, by-law, rule or regulation made under authority thereof.

Section 3B. Said supervisor may remove any fish warden appointed hereunder who refuses or neglects to be so sworn or who, in his opinion, fails or refuses properly to perform the duties of his office; and thereupon said supervisor may appoint another warden or wardens from the same or any further list of names submitted by the selectmen of said town as provided in the preceding section; such warden or wardens to serve for the residue of the term of the warden or wardens so removed.

Section 3C. Fish wardens appointed under this act, including one to be designated chief fish warden in case more than one fish warden is so appointed, shall receive from the town such salaries and be authorized to expend for expenses such sums as the town may annually appropriate therefor.

SECTION 4. Said chapter two hundred and eighty-four is hereby further amended by striking out section four and inserting in place thereof the following:— *Section 4.* Any

boat or vessel used, and any fish taken or held, in violation of any provision of this act or of any order, by-law, rule or regulation made under authority thereof may be seized by any fish warden appointed under this act or any person authorized by section eleven of said chapter one hundred and twenty-nine A of the General Laws, inserted by section one of said chapter three hundred and twenty-nine of the acts of nineteen hundred and thirty-three, to seize property therein referred to, and shall be forfeited. The possession, control or tending of a net which is in contact with the waters subject to this act shall be prima facie evidence of a violation thereof.

SECTION 5. Said chapter two hundred and eighty-four is hereby further amended by striking out section five and inserting in place thereof the following:— *Section 5.* All fines, penalties and forfeitures recovered and received by virtue of this act shall go to, and for the use of, said town of Nantucket.

SECTION 6. Said town may, at its annual town meeting in the current year, by vote under articles in the warrant for said meeting, take action under the provisions of this act, and such action shall be fully effective notwithstanding that the warrant for said meeting was served prior to the passage thereof.

SECTION 7. This act shall take effect upon its passage.

Approved February 23, 1937.

Chap. 50 AN ACT AUTHORIZING THE COUNTY OF MIDDLESEX TO PROVIDE ADDITIONAL ACCOMMODATIONS FOR THE FIRST DISTRICT COURT OF EASTERN MIDDLESEX.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate accommodations at the county court house in the city of Malden, the county commissioners of the county of Middlesex may make additions to and alterations in such court house, and may furnish and equip said court house as so enlarged or altered.

SECTION 2. For the purpose of meeting the expenses authorized under section one, the county treasurer of said county, with the approval of the county commissioners, may borrow from time to time upon the credit of the county such sums as may be necessary, but not exceeding, in the aggregate, eighty-five thousand dollars, and may issue temporary notes of the county therefor, payable in not more than one year from their date or dates of issue.

SECTION 3. Upon completion of the project herein authorized, the county treasurer shall, with the approval of the county commissioners, issue bonds or notes of the county, in a total amount not to exceed eighty-five thousand dollars, which shall bear on their face the words, Middlesex County Court House Loan, Act of 1937; and such bonds or notes

shall be payable in not more than five years from their dates of issue. Such bonds or notes shall be signed by the treasurer of said county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Receipts from the sale of such bonds or notes shall be applied to the payment of costs of construction and to the payment of any temporary loans authorized under section two, or to either of such purposes. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 4. This act shall take effect upon its acceptance, during the current year, by the county commissioners of said county.

Approved February 25, 1937.

AN ACT AUTHORIZING THE TOWN OF DEDHAM TO USE STONE PARK, SO CALLED, FOR PLAYGROUND AND ATHLETIC FIELD PURPOSES.

Chap. 51

Be it enacted, etc., as follows:

The town of Dedham is hereby authorized to use for the purposes of a public playground, under the provisions of section fourteen of chapter forty-five of the General Laws, Stone Park, so called, located in said town. The selectmen of said town, acting as park commissioners, may set apart and enclose for use as an athletic field such portion of said park as they may designate, and, subject to such terms and conditions as they may impose, may allow such field to be used for athletic games and other entertainments of a public nature, to which an admission fee may be charged.

Approved February 25, 1937.

AN ACT RELATIVE TO THE CALLING OF SPECIAL MEETINGS OF STOCKHOLDERS OF BUSINESS CORPORATIONS.

Chap. 52

Be it enacted, etc., as follows:

Section thirty of chapter one hundred and fifty-six of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the fourth line, the word "three" and inserting in place thereof the word: — one, — so as to read as follows: — *Section 30.* Special meetings of the stockholders may be called by the president or by a majority of the directors, and shall be called by the clerk, or in case of the death, absence, incapacity or refusal of the clerk, by any other officer, upon written application of one or more stockholders who are entitled to vote and who hold at least one tenth part in interest of the capital stock entitled to vote at the meeting, stating the time, place and purpose of the meeting.

G. L. (Ter. Ed.), 156, § 30, amended.

Corporations, special meeting of stockholders.

Approved February 25, 1937.

Chap. 53 AN ACT RELATIVE TO THE LABELLING OF BREAD WRAPPED IN CELLOPHANE OR SIMILAR TRANSPARENT WRAPPERS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 94, § 8,
amended.

Labelling
of bread.

Chapter ninety-four of the General Laws is hereby amended by striking out section eight, as appearing in the Tercentenary Edition, and inserting in place thereof the following new section: — *Section 8.* Unit weights, as defined in the preceding section, shall not apply to rolls or to fancy bread weighing less than four ounces, nor to loaves bearing in plain position a plain statement of the weight of the loaf and the name and business address of the manufacturer thereof. Such information shall be stated in case of wrapped bread, upon the wrapper of each loaf; provided that, when cellophane or similar transparent wrappers are employed, the director of standards may authorize the placing of a statement of such information between such transparent wrapper and the top of the loaf in such manner that such statement may be easily read through the wrapper. In the case of unwrapped bread such information shall be stated upon a printed label not larger than one by one and three quarters inches nor smaller than one by one and one half inches. No label, attached to an unwrapped loaf, shall be larger than provided herein, nor shall any such label be affixed in any manner or with any gum or paste which is unsanitary or unwholesome. When an inspection of bread is made at any bakery by the director or any inspector of standards or sealer of weights and measures, the manufacturer of such bread, or his servants or agents, shall, upon request of the official making such inspection, inform him whether such bread is manufactured for sale in any of the standard unit weights prescribed by the preceding section and, if not so manufactured for sale in such standard unit weights, shall furnish such official with samples of the labels or wrappers intended to be used on all such loaves of other than standard unit weights.

Approved February 25, 1937.

Chap. 54 AN ACT AUTHORIZING THE TOWN OF HULL TO APPROPRIATE MONEY TO PROVIDE FACILITIES FOR HOLDING IN SAID TOWN THE STATE CONVENTION OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES.

Be it enacted, etc., as follows:

SECTION 1. The town of Hull may appropriate a sum not exceeding two thousand dollars, for the purpose of providing proper facilities for public entertainment at the time of the state convention of the Veterans of Foreign Wars of the United States, to be held in said town during the current year, and of paying expenses incidental to such entertain-

ment. Money so appropriated shall be expended under the direction of the selectmen of said town.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1937.

AN ACT AUTHORIZING THE TOWN OF ESSEX TO VOTE AT ITS CURRENT ANNUAL TOWN MEETING ON THE QUESTION OF GRANTING LICENSES FOR THE RETAIL SALE IN SAID TOWN OF WINES AND MALT BEVERAGES.

Chap. 55

Be it enacted, etc., as follows:

SECTION 1. The town clerk of the town of Essex shall place upon the official ballot to be used for the election of town officers at its annual town meeting in the current year the second question set forth in section eleven of chapter one hundred and thirty-eight of the General Laws, as amended by section one of chapter two hundred and seven of the acts of nineteen hundred and thirty-six. The selectmen of said town are hereby authorized and directed to warn the inhabitants of said town relative to the aforesaid question by serving as early as possible before such meeting a supplementary warrant containing an appropriate article relative thereto. If a majority of the votes cast in said town in answer to said question is in the affirmative, such town shall be taken to have authorized for the remainder of the calendar year nineteen hundred and thirty-seven and for the calendar year nineteen hundred and thirty-eight, the retail sale therein of wines and malt beverages only, to be drunk on and off the premises where sold, in accordance with the provisions of said chapter one hundred and thirty-eight. The provisions of the General Laws relative to the ascertainment of the result of the votes at state elections and returns thereof shall, so far as practicable, apply to the vote taken hereunder.

SECTION 2. This act shall take effect upon its passage.

Approved February 26, 1937.

AN ACT FURTHER MODIFYING THE REQUIREMENTS FOR MAKING CERTAIN RAILROAD BONDS LEGAL INVESTMENTS FOR SAVINGS BANKS, INSTITUTIONS FOR SAVINGS AND TRUST COMPANIES IN THEIR SAVINGS DEPARTMENTS.

Chap. 56

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter eighty-four of the acts of nineteen hundred and thirty-six is hereby repealed.

SECTION 2. Wherever in clauses third and sixteenth of section fifty-four of chapter one hundred and sixty-eight of the General Laws a number of fiscal years is mentioned, the fiscal years beginning in the years nineteen hundred and

thirty-one to nineteen hundred and thirty-seven, both inclusive, shall be excluded from the count, if the inclusion of such years or any one or more of them would render the security of any railroad ineligible for investment, and all railroad securities which were eligible for investment by savings banks on January first, nineteen hundred and thirty-one, or have become eligible for such investment since that date, or shall hereafter, prior to April first, nineteen hundred and thirty-nine, become eligible for such investment, shall continue to be eligible for such investment until April first, nineteen hundred and thirty-nine; provided, however, that the securities of a railroad company defaulting at any time between January first, nineteen hundred and thirty-one, and March thirty-first, nineteen hundred and thirty-nine, both dates inclusive, in the payment of matured principal or interest of any of its mortgage or funded indebtedness shall not be eligible for such investment.

Approved February 26, 1937.

Chap. 57 AN ACT PROVIDING FOR THE FUNCTIONING OF RETIREMENT BOARDS IN CERTAIN CITIES AND TOWNS PRIOR TO THE TIME WHEN CONTRIBUTORY RETIREMENT SYSTEMS BECOME OPERATIVE THEREIN.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 32, § 31F,
amended.

SECTION 1. Clause (b) of section thirty-one F of chapter thirty-two of the General Laws, as appearing in section one of chapter three hundred and eighteen of the acts of nineteen hundred and thirty-six, is hereby amended by striking out, in the fourth line, the words "commencing on" and inserting in place thereof the word: — from, — so as to read as follows: —

Membership
of board.

(b) One person to be appointed, in a city, by the mayor, subject to confirmation by the board of aldermen, or, in a town, by the selectmen, to serve for a term of three years from the date when the system becomes operative, and until the qualification of his successor, and

G. L. (Ter.
Ed.), 32, § 31F,
further
amended.

SECTION 2. Said section thirty-one F of said chapter thirty-two, as so appearing, is hereby further amended by inserting after the word "successor" in the thirteenth line the following new paragraph: —

Date when
system goes
into operation.

(1A) In a city or town not having a contributory retirement system in which a contributory retirement system under sections twenty-six to thirty-one H, inclusive, is established by certificate of the commissioner of insurance, the board may commence to function at any time after the issue of such certificate but, until the system becomes operative therein, shall consist only of the officer specified

in clause (a) of paragraph (1) of this section and a person appointed in the manner provided by clause (b) of said paragraph (1).

SECTION 3. Paragraph (3) of section thirty-one I of said chapter thirty-two, as so appearing, is hereby amended by striking out the second sub-paragraph and inserting in place thereof the following: —

G. L. (Ter. Ed.), 32, § 311, amended.

The city or town clerk shall file in the office of the commissioner of insurance a copy of the vote of the city council or of the selectmen, certified by the city or town clerk, and a certificate of the vote at the city or state election, or at the town meeting, sworn to by the city or town clerk or election commissioners or officers corresponding thereto, within thirty days after the date of the latter vote or after the date of the vote of the city council or selectmen, in any case where no acceptance by the qualified voters is required. Said commissioner shall forthwith issue to the mayor or selectmen a certificate, either that the system, or that a retirement system for policemen and firemen, or for members of the police and fire departments, as the case may be, is established in said city or town by such votes or vote, and said system shall become operative therein, to the extent so voted, on the first day of January or July, whichever first occurs, following the expiration of three months after the date of the certificate of said commissioner establishing such system, but otherwise said sections twenty-six to thirty-one H, inclusive, shall be operative upon the date of the latter certificate.

Acceptance provisions.

SECTION 4. In any city or town which accepted said sections twenty-six to thirty-one H, inclusive, of chapter thirty-two of the General Laws at the biennial state election in the year nineteen hundred and thirty-six, the contributory retirement system established upon such acceptance shall become operative upon the first day of July following the expiration of three months after the date of the certificate of the commissioner of insurance establishing such system but otherwise the provisions of said sections as amended by sections one and two of this act shall be operative upon its passage, notwithstanding the provisions of section seven of chapter three hundred and eighteen of the acts of nineteen hundred and thirty-six.

Temporary provisions.

Approved February 26, 1937.

AN ACT RELATIVE TO THE CONSTRUCTION OF CERTAIN MAIN AND PARTICULAR SEWERS IN THE SOUTHEASTERLY SECTION OF THE CITY OF MELROSE. Chap. 58

Be it enacted, etc., as follows:

SECTION 1. The city of Melrose, acting through its board of aldermen, is hereby authorized to assess upon the owners of estates which derive particular benefit or advantage from any system of main drains and common sewers which may be

constructed by said city, with the aid of federal funds, in that portion of the southeasterly section of said city shown as Part One on a plan entitled "Plan Showing Proposed Sewer Extensions in Southeast Section, Melrose, Mass., in Two Parts, Public Works Department, City of Melrose, Sept. 12, 1933, Fred E. Ellis, Engr. and Supt.", sums equal, in the aggregate, to not more than one half of so much of the cost of such construction as is paid by said city from funds other than those made available by the federal government, at a fixed uniform rate according to both frontage and area, as authorized by section fifteen of chapter eighty-three of the General Laws, any provision of any general or special law or of any ordinance of said city to the contrary notwithstanding.

SECTION 2. Assessments under the preceding section shall be levied and collected in accordance with the provisions of chapter eighty-three of the General Laws; provided, that such assessments shall bear interest at a rate not more than one per cent in excess of the rate which said city shall pay for a loan for the purposes of said sewer system, but, in no case, more than six per cent, from the thirtieth day after the assessments have been committed to the collector; and, provided further, that the maximum number of portions into which the assessments may be apportioned under section thirteen of chapter eighty of the General Laws shall be twenty instead of ten. Interest on any amount of such assessments remaining unpaid shall be computed in the manner hereinbefore provided.

SECTION 3. The time of the payment of assessments made under this act may be extended as provided in section nineteen of said chapter eighty-three; provided, that whenever the time for the payment of any assessment is so extended for a definite period and the land to which such assessment relates is not built upon at the expiration of such time, the time may be further extended as determined by the board of aldermen. If the time for payment of assessments is so extended, no demand for payment thereof shall be made by the collector within six months after the termination of such definite period or after such land is built upon, whichever occurs first, and within said six months the assessments may be apportioned under said section thirteen of chapter eighty of the General Laws, as affected by section two of this act.

SECTION 4. The said city of Melrose, acting through its engineer and superintendent of public works, may, upon application of the owner of any estate abutting on any way where a sewer is constructed in the southeasterly section of said city referred to in section one of this act, lay in such sewered way and in the private land of such owner such particular sewer or connecting drain as may be necessary to connect any building on such estate with such main drain or sewer, and said officer may make all necessary contracts in the name of and in behalf of said city for such purpose.

The expenses thereof shall be paid out of any appropriation that may be made by the board of aldermen therefor.

SECTION 5. The cost of constructing each particular sewer or connecting drain shall be assessed by the said engineer and superintendent of public works upon the estate benefited thereby. Such assessment shall be made by filing with the board of assessors of the city a certificate, designating the way and the private land in which such particular sewer or connecting drain has been constructed, and giving the name or names of the owners of the estate for which such connection has been made and the amount of the assessment to be paid by such owner or owners. A copy or duplicate of this certificate shall, within ten days after the filing of the same with the board of assessors, be recorded in the registry of deeds for the southern district for the county of Middlesex, or, in the case of registered land, filed in the office of the assistant recorder for the Middlesex county registry district. The board of assessors shall, upon receipt of such certificate, forthwith commit such assessments or charges with their warrant to the collector of taxes, who shall forthwith make a demand in writing for the payment of such assessments or charges, and every owner shall, within three months after such demand is served upon him or upon the occupant of the estate, or sent by mail to the last known address of the owner known to the collector of taxes, pay to the collector of taxes the sum assessed or charged under this section.

SECTION 6. Except as herein provided, the provisions of general law relative to the assessment, apportionment, division, re-assessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon shall apply to assessments for particular sewers made under this act. In applying said provisions to assessments so made for particular sewers, the notice therein referred to shall be deemed to be the demand of the tax collector required by section five hereof. The lien for any assessment for particular sewers made under this act shall attach upon the recording or filing for registration of the copy or duplicate of the certificate of assessment.

SECTION 7. This act shall take effect upon its acceptance, within two years after its passage, by the board of aldermen of the city of Melrose, subject to the provisions of its charter.

Approved February 26, 1937.

AN ACT RELATIVE TO THE DESTRUCTION OF CERTAIN OLD PAPERS AND DOCUMENTS IN CIVIL ACTIONS IN DISTRICT COURTS AND TO THE SAFEGUARDING OF RECORDS, PAPERS AND DOCUMENTS IN SUCH COURTS.

Chap. 59

Be it enacted, etc., as follows:

Chapter two hundred and eighteen of the General Laws is hereby amended by striking out section thirteen, as appearing in the Tercentenary Edition, and inserting in place thereof

G. L. (Ter.
Ed.), 218, § 13,
amended.

Destruction
of old court
documents.

the following: — *Section 13.* Any district court may destroy complaints, warrants, documents and other papers in criminal cases, and writs, declarations, petitions and other papers in civil causes, filed in said court as completed business for not less than twenty years, except dockets and record books, and shall enter the fact of such destruction upon the records of the court. Thereafter the dockets and record books and the minutes and entries therein shall be admissible as evidence of the facts stated therein.

The records, papers and documents of district courts may, subject to the approval of the supervisor of public records, be stored and kept in fireproof rooms, vaults and safes, provided by the county commissioners in the towns where the courts are respectively situated, or in the county court houses.

Approved February 26, 1937.

Chap. 60 AN ACT AUTHORIZING THE TOWN OF PLYMOUTH TO PENSION
LINCOLN S. WIXON.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good and in consideration of his long and meritorious service, the town of Plymouth may retire Lincoln S. Wixon, who served the town faithfully for over twenty-five years in its police department and is now permanently disabled for further performance of duty, on an annual pension, payable monthly, equal to one half the salary received by him during the last year of his active service.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the selectmen of said town, but not otherwise.

Approved February 26, 1937.

Chap. 61 AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY TO CONSTRUCT AN ELEVATED WATER TANK AND CONNECTIONS FOR PROVIDING BETTER FIRE PROTECTION AT THE PLYMOUTH COUNTY TUBERCULOSIS HOSPITAL AND FOR THE SURFACING OF THE DRIVEWAY AND PARKING SPACE ON THE PROPERTY OF SAID HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing an elevated water tank and connections for providing better fire protection at the Plymouth county tuberculosis hospital in the town of Hanson and for surfacing the driveway and parking space on the property of said hospital, the county commissioners of Plymouth county may expend a sum not exceeding sixteen thousand dollars.

SECTION 2. For the purposes aforesaid, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, sixteen thousand dollars, and may issue notes of the county therefor,

which shall bear on their face the words, Plymouth County Tuberculosis Hospital Loan, Act of 1937; and such notes shall be payable in not more than four years from their dates. Such notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. Said securities may be sold at public or private sale upon such terms and conditions as the said treasurer and county commissioners may deem proper, but not for less than their par value. All money so borrowed shall be deposited in the county treasury and the county treasurer shall pay out the same as ordered by the county commissioners. The county treasurer shall keep a separate account of all money so borrowed and expended. Indebtedness under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws. All sums necessary to meet interest payments on notes issued under this act and payments on account of principal as the same mature shall be assessed upon the twenty-six towns and one city of said county constituting the hospital district, with other assessments made under section eighty-five of chapter one hundred and eleven of the General Laws.

SECTION 3. This act shall take effect upon its acceptance during the current year by the county commissioners of the county of Plymouth, but not otherwise.

Approved February 26, 1937.

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY TO CONSTRUCT AN ELEVATED TANK FOR WATER SUPPLY AND TO MAKE CERTAIN OTHER IMPROVEMENTS AT THE COUNTY JAIL AND HOUSE OF CORRECTION AT PLYMOUTH. Chap. 62

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing better fire protection, installing modern sanitary toilet facilities, constructing an elevated water tank and connections, and surfacing driveways, at the jail and house of correction at Plymouth, the county commissioners of Plymouth county may expend a sum not to exceed thirty-five thousand dollars.

SECTION 2. For the purposes aforesaid, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, thirty-five thousand dollars, and may issue notes of the county therefor, which shall bear on their face the words, Plymouth County Jail and House of Correction Loan, Act of 1937. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than five years from their dates. Such notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county

commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 3. The county treasurer, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial notes under this act, but the time within which such serial notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this act. Any notes issued in anticipation of the serial notes shall be paid from the proceeds thereof.

SECTION 4. This act shall take effect upon its acceptance during the current year by the county commissioners of the county of Plymouth, but not otherwise.

Approved February 26, 1937.

Chap. 63 AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF PLYMOUTH TO ACQUIRE PROPERTY FOR THE USE OF THE SECOND DISTRICT COURT OF SAID COUNTY, LOCATED IN THE TOWN OF HINGHAM.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Plymouth may acquire by purchase or otherwise the building and lot at Hingham in said county now leased by said county and occupied by the second district court of Plymouth, together with an adjoining lot, for use by said court, and may expend for such purposes a sum not exceeding sixty-five thousand dollars.

SECTION 2. For the purposes aforesaid, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, sixty-five thousand dollars, and may issue notes of the county therefor, which shall bear on their face the words, Plymouth County Court House Loan, Act of 1937. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than five years from their dates. Such notes shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 3. The county treasurer, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial notes under this act, but the time within which such serial notes shall become due

and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this act. Any notes issued in anticipation of the serial notes shall be paid from the proceeds thereof.

SECTION 4. This act shall take effect upon its acceptance during the current year by the county commissioners of the county of Plymouth, but not otherwise.

Approved February 26, 1937.

AN ACT FURTHER REGULATING THE RETURN OR RECOVERY OF CERTAIN MONEY REQUIRED TO BE PAID TO COUNTY TREASURERS.

Chap. 64

Be it enacted, etc., as follows:

SECTION 1. Section twenty-five of chapter twelve of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the thirteenth and fourteenth lines, the words "any unexpended balance of such money shall be paid to the county treasurer" and inserting in place thereof the following:— the difference between the amount advanced as aforesaid and the amount of the vouchers so approved shall be paid to the county treasurer within thirty days after such return, — so as to read as follows:— *Section 25.* Money to be used for the necessary expenses to be incurred by officers, under the direction of a district attorney, in going outside of the commonwealth for the purpose of searching for, or bringing back for trial, persons under indictment in any county in the district of said district attorney shall be advanced by the treasurer of that county, upon the presentation of a certificate signed by the district attorney and approved in the manner provided in the preceding section for approving bills incurred by district attorneys. After their return, such officers shall account for such money by filing with the county treasurer itemized vouchers duly sworn to, approved by the district attorney and also approved in the manner provided in the preceding section for approving bills incurred by district attorneys. Such vouchers shall show the necessary expenses so incurred, and the difference between the amount advanced as aforesaid and the amount of the vouchers so approved shall be paid to the county treasurer within thirty days after such return.

G. L. (Ter. Ed.), 12, § 25, amended.

Counties may advance certain expenses of district attorneys' officers.

SECTION 2. Section twenty-one of chapter thirty-five of the General Laws, as so appearing, is hereby amended by inserting after the word "officer" in the first line the words: —, or other person, — so as to read as follows:— *Section 21.* If a public officer, or other person, required by law to account with and pay money to a county treasurer, fails so to do for ten days after the time prescribed by law therefor, the treasurer shall notify the district attorney, who shall forthwith proceed to recover the sum due.

G. L. (Ter. Ed.), 35, § 21, amended.

County treasurer to notify district attorney of persons delinquent as to money payments.

Approved February 26, 1937.

Chap. 65 AN ACT PROVIDING FOR THE TAKING OR OTHER ACQUISITION
BY THE TOWN OF NANTUCKET OF CERTAIN LAND THEREIN
FOR THE IMPROVEMENT OF THE FISHERIES OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Nantucket, acting by its board of selectmen, is hereby authorized and directed to take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, for the purpose of improving the fisheries of said town, a certain parcel of land situated in said town, and bounded and described as follows: — northeasterly by the Atlantic ocean; southeasterly by Lot A-1 on land court plan No. 10990-B filed with certificate of title No. 2129, being land now or formerly of James A. Backus, held under said certificate of title; southwesterly by Nantucket harbor; and northwesterly by land, now or formerly of James A. Backus et al., the boundary line beginning at a point on Nantucket harbor now marked by a land court bound situated at the northwest corner of Lot C on land court plan No. 10990-A filed with said certificate of title and thence running northeasterly, true meridian, to the waters of the Atlantic ocean.

SECTION 2. For the purpose of providing funds for the taking or other acquisition of land under the provisions of section one, the treasurer of said town, with the approval of the selectmen, may make a temporary loan for a period not exceeding one year; and the assessors of said town shall, in the year following the issuing of such loan, include the amount represented thereby in the tax levy of the town for that year unless payment thereof is otherwise provided for.

SECTION 3. This act shall take full effect upon its acceptance by a majority of the registered voters of the town of Nantucket voting thereon at any annual town meeting held within three years after its passage, or at any special town meeting called for the purpose within said period. If submitted at any such annual town meeting it shall be in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers: — "Shall an act passed by the general court in the year nineteen hundred and thirty-seven, entitled 'An Act providing for the taking or other acquisition by the town of Nantucket of certain land therein for the improvement of the fisheries of said town', be accepted?"

Approved February 26, 1937.

Chap. 66 AN ACT REQUIRING APPLICANTS FOR REGISTRATION AS VET-
ERINARIANS TO BE CITIZENS OF THE UNITED STATES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 112, § 55,
amended.

Section fifty-five of chapter one hundred and twelve of the General Laws, as appearing in the Tercentenary Edition,

is hereby amended by inserting after the word "over" in the third line the words:— who is a citizen of the United States,— so as to read as follows:— *Section 55.* Applications for registration hereunder, signed and sworn to by the applicant, shall be made upon blanks furnished by the board. Any applicant twenty-one years of age or over who is a citizen of the United States shall, upon payment of fifteen dollars, be entitled to examination, and, if found qualified by the board, shall be registered as a veterinarian and shall receive a certificate thereof, signed by its chairman and secretary. Any applicant failing to pass a satisfactory examination may be re-examined at any regular meeting of the board within two years thereafter, without additional fee, and thereafter may be examined at any such meeting upon payment of fifteen dollars for each examination. The board, after a hearing, may revoke any certificate issued by it to any veterinarian convicted of a crime in the practice of his profession and cancel his registration.

Examination
and registra-
tion of
veterinarians.

Approved February 26, 1937.

AN ACT CONCERNING THE SALE AND TAXATION OF THE "OLD COURT HOUSE PROPERTY", SO CALLED, IN GREENFIELD, OWNED BY THE COUNTY OF FRANKLIN.

Chap. 67

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter four hundred and forty-nine of the acts of nineteen hundred and thirty-one, the county commissioners of the county of Franklin are hereby authorized to sell the "old court house property", so called, for such price as they, in their discretion, deem to be proper and for the best interests of said county.

SECTION 2. During such time as the county of Franklin continues to own the "old court house property", so called, and receives no rent or other income therefrom, said property shall be exempt from taxation.

Approved February 26, 1937.

AN ACT PROVIDING THAT THE CHAIRMAN OF THE PLANNING BOARD OF THE TOWN OF NEEDHAM BE A TOWN MEETING MEMBER AT LARGE OF SAID TOWN.

Chap. 68

Be it enacted, etc., as follows:

Section three of chapter two hundred and seventy-nine of the acts of nineteen hundred and thirty-two is hereby amended by inserting after the word "assessors" in the tenth line the words:—, the chairman of the planning board,— so that the first paragraph will read as follows:— Any representative town meeting held under the provisions of this act, except as otherwise provided herein, shall be limited to the voters elected under section two, together with the following, designated as town meeting members at

large; namely, any member of the general court of the commonwealth from the town, the moderator, the town clerk, the members of the board of selectmen, the town treasurer, the town counsel, the chairman of the school committee, the chairman of the finance committee, the chairman of the board of assessors, the chairman of the planning board, and the chairman of the board of health. The town clerk shall notify the town meeting members of the time and place at which representative town meetings are to be held, the notices to be sent by mail at least seven days before the meeting.

Approved February 26, 1937.

Chap. 69 AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ESSEX COUNTY TO PURCHASE ADDITIONAL LAND IN THE CITY OF LAWRENCE TO BE USED FOR THE PURPOSES OF THE ESSEX COUNTY TRAINING SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Essex county are hereby authorized to purchase additional land in the city of Lawrence to be used for the purposes of the Essex county training school, and may expend therefor out of the appropriation for county buildings for said county for the current year a sum not exceeding three thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved March 4, 1937.

Chap. 70 AN ACT RELATIVE TO THE RETIREMENT OF PERMANENT MEMBERS OF THE POLICE DEPARTMENT OF THE TOWN OF WEYMOUTH AND VALIDATING CERTAIN ACTION TAKEN BY SAID TOWN AND ITS OFFICIALS IN RELATION THERETO.

Be it enacted, etc., as follows:

SECTION 1. The action of the town of Weymouth at its annual town election in the year nineteen hundred and twenty-five in voting to accept so much of section eighty-five of chapter thirty-two of the General Laws as relates to the permanent members of the police department of said town, and all action purportedly taken by the officials of said town under said section, are hereby confirmed and made valid in so far as the same were invalid for the reason that said section was so limited in its application and was not accepted in the manner authorized by law, and the provisions of said section eighty-five, so far as they relate to permanent members of the police department of said town, shall continue to be operative therein, subject to the provisions of section eighty-five C of said chapter thirty-two.

SECTION 2. This act shall take effect upon its passage.

Approved March 4, 1937.

AN ACT PROVIDING FOR REMOVING OR PLACING UNDER-
GROUND CERTAIN OVERHEAD WIRES AND ELECTRICAL AP-
PLIANCES IN THE TOWN OF WINCHESTER. *Chap. 71*

Be it enacted, etc., as follows:

SECTION 1. The board of selectmen of the town of Winchester shall have exclusive authority to order and to cause to be removed from above the surface of Common street in said town all telegraph or telephone and electric light, electric motor and power, and all other wires, cables or conductors in said street and above the surface thereof, together with all poles and structures in said street used for the support of such wires, cables or conductors, and to order and to cause all such wires, cables and conductors to be placed, and thereafter maintained and operated, in underground conduits.

SECTION 2. In case of any order for removal under authority of section one of this act, or at any time upon application of any person lawfully maintaining or using any wires in said Common street for authority to place such wires underground, the board of selectmen of said town shall grant all necessary permits for placing, maintaining and operating such wires, cables and conductors and any other necessary appurtenances in underground conduits, and for constructing and maintaining manholes, subject to the by-laws of said town, and the superintendent of streets or other officer having charge of the highways of said town shall issue all permits for opening and occupying the streets, or portions thereof, to accomplish said purposes.

SECTION 3. No person shall erect, place or maintain any poles or other structures for the support of any wires, cables or conductors in said Common street, or in any portion thereof, after the overhead wires, cables or conductors shall have been removed therefrom pursuant to this act, except temporarily, in case of emergency, and with the consent in each instance of the board of selectmen of said town. If, after the expiration of the time prescribed by section four of this act for the removal of all overhead wires, cables, conductors, poles and structures in said Common street, there shall remain in said street, or any portion thereof, any wires, cables, conductors, poles or structures, required by this act to be removed or placed underground, or both, said board of selectmen shall cause the same to be removed forthwith, and the town may by proper action collect from the owners or users thereof any expense involved in such removal.

SECTION 4. Every owner or user of overhead wires, cables or conductors, and poles and other structures for the support thereof, in said Common street shall, prior to the first day of September in the current year, remove therefrom all such overhead wires, cables and conductors, and such poles and other structures, owned or used by him, and construct

in said street all necessary underground conduits and ducts, and manholes, and remove thereto such wires, cables and conductors as he shall desire to continue to use in said street.

SECTION 5. The superior court shall have jurisdiction in equity to enforce the provisions of this act or of any order passed thereunder.

SECTION 6. This act shall take effect upon its passage.

Approved March 4, 1937.

Chap. 72 AN ACT DESIGNATING THE NEW BRIDGE TO BE CONSTRUCTED OVER THE CONNECTICUT RIVER BETWEEN NORTHAMPTON AND HADLEY AS THE CALVIN COOLIDGE MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The new bridge authorized to be constructed over the Connecticut river between Northampton and Hadley under the provisions of chapter four hundred and thirty-three of the acts of nineteen hundred and thirty-six shall be known and designated as the Calvin Coolidge Memorial Bridge. A suitable tablet or marker bearing said designation shall be attached to said bridge, upon its completion, by the department of public works.

Approved March 4, 1937.

Chap. 73 AN ACT RELATIVE TO THE SALE OF SONG SHEETS, SO CALLED, BY MINORS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 101, § 19, etc., amended.

Regulation of sale of song sheets by minors.

Section nineteen of chapter one hundred and one of the General Laws, as amended by chapter one hundred and fourteen of the acts of nineteen hundred and thirty-four, is hereby further amended by inserting after the word "periodicals" in the eighteenth line the words: — and song sheets, so called, — so as to read as follows: — *Section 19.* The aldermen or selectmen may make regulations consistent with the general laws relative to the exercise of the trade of bootblacking by minors, and to the sale or barter by minors of any goods, wares or merchandise the sale of which is permitted without a license by section seventeen, and may prohibit such trade or such sales, or may require a minor to obtain from them a permit therefor to be issued on terms and conditions prescribed in such regulations; provided, that in the case of girls under the age of eighteen years and of boys under the age of sixteen years the foregoing powers in cities shall be vested in and exercised by the school committee. No permit issued to a minor under this section nor badge issued to him under sections sixty-nine to seventy-three, inclusive, of chapter one hundred and forty-nine shall authorize the sale by a minor of any article, other than those which may be sold without a license under section seventeen, except that a badge so issued may authorize, in addition, the sale of magazines and other periodicals and song sheets, so called. A minor who sells such article or exercises such trade without a permit, if one is re-

quired, or who violates the conditions of his permit or any provision of said regulations, shall be punished by a fine of not more than ten dollars.

Approved March 4, 1937.

AN ACT RELATIVE TO FEES FOR SEALING CERTAIN SCALES AND CERTAIN LIQUID CAPACITY MEASURES.

Chap. 74

Be it enacted, etc., as follows:

Chapter ninety-eight of the General Laws is hereby amended by striking out section fifty-six, as amended by chapter ninety-eight of the acts of nineteen hundred and thirty-four, and inserting in place thereof the following: —
Section 56. Except as otherwise provided, sealers shall receive the following fees for sealing the following weighing or measuring devices: —

G. L. (Ter. Ed.), 98, § 56, etc., amended.

Fees of sealers.

(a) Each scale with a weighing capacity of five thousand to ten thousand pounds, one dollar.

(b) Each scale with a weighing capacity of more than ten thousand pounds, two dollars.

(c) Each liquid capacity measure, except vehicle tanks, of the capacity of more than one gallon, ten cents.

(d) Each liquid-measuring meter, except water meters, the diameter of the inlet pipe of which is one inch or less, fifty cents; and for each such meter the diameter of the inlet pipe of which is more than one inch, one dollar.

(e) All other scales, balances, and measures on pumps, ten cents each.

(f) Each taximeter, or measuring device used upon vehicles for determining the cost of transportation, one dollar.

(g) Each machine or other device used for determining the measurement of leather, one dollar.

(h) Milk bottles or jars, fifty cents per gross.

(i) Vehicle tanks used in the sale of commodities by liquid measure and having a capacity of one hundred gallons or less, one dollar. For each additional one hundred gallons or fraction thereof, an additional fee of fifty cents shall be received. When a vehicle tank is subdivided into two or more compartments, each compartment shall, for the purposes of this section, be considered as a separate tank.

(j) All weights and other measures, three cents each. They shall also receive reasonable compensation for necessary repairs, alterations and adjustments made by them.

Approved March 4, 1937.

AN ACT AUTHORIZING THE TOWN OF REHOBOTH TO RECEIVE AND ADMINISTER THE PROPERTY OF THE BAKER AND HORTON CEMETERY ASSOCIATION IN SAID TOWN.

Chap. 75

Be it enacted, etc., as follows:

SECTION 1. The Baker and Horton Cemetery Association, a corporation duly incorporated under chapter seventy-nine of the acts of eighteen hundred and eighty-two and

situated in the town of Rehoboth, hereinafter called the corporation, is hereby empowered and authorized to convey and transfer to said town, and said town is hereby authorized and empowered to receive, and thereafter to hold and maintain, but for cemetery purposes only, and subject to all rights heretofore existing in any burial lots, the real and personal property of the corporation not subject to any trust, and thereupon, and upon the transfer of the trust funds as hereinafter provided, the corporation shall be dissolved; and the cemetery of the corporation shall be and become a public burial place, ground or cemetery.

SECTION 2. In so far as authorized by a decree of a court of competent jurisdiction and in compliance with the terms and conditions of such decree, said town may receive from the corporation a conveyance and transfer of, and administer, all funds or other property held by the corporation in trust for the perpetual care of the lots in its cemetery and for other purposes, and also any property devised or bequeathed to the corporation under the will of any person living at the time of said transfer or conveyance or under the will of any deceased person not then probated. Interest and dividends accruing on funds deposited in trust with any savings bank, under authority of section thirty-seven or thirty-eight of chapter one hundred and sixty-eight of the General Laws, or with any other banking institution, for the benefit of the corporation, or of any lots in its cemetery, may, after such conveyance, be paid by such bank or institution to the treasurer of said town; and upon such payment said treasurer shall use the same for the purposes of said trusts.

SECTION 3. All real and personal property and property rights, acquired by said town from the corporation under authority of section one shall be held and managed by said town in the same manner in which cities and towns are authorized by law to hold and manage property for cemetery purposes; provided, that all rights which any persons have acquired in its cemetery or lots therein shall remain in force to the same extent as if this act had not been passed and such transfer had not occurred. The records of the corporation shall be delivered to the clerk of said town and such clerk may certify copies thereof.

SECTION 4. This act shall take full effect upon its acceptance by a majority of the registered voters of the town of Rehoboth voting thereon at a regular or special town meeting of said town not later than the regular town meeting in the year nineteen hundred and thirty-eight.

Approved March 4, 1937.

AN ACT CONSTITUTING IMPRISONMENT FOR FIVE YEARS OR MORE IN A FEDERAL PENAL INSTITUTION OR ANY PENAL OR REFORMATORY INSTITUTION IN THIS OR ANY OTHER STATE AS A CAUSE FOR DIVORCE. Chap. 76

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and eight of the General Laws is hereby amended by striking out section two, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 2.* A divorce may also be decreed if either party has been sentenced to confinement for life or for five years or more in a federal penal institution or in a penal or reformatory institution in this or any other state; and, after a divorce for such cause, no pardon granted to the party so sentenced shall restore such party to his or her conjugal rights.

G. L. (Ter. Ed.), 208, § 2, amended.

Certain causes for divorce.

SECTION 2. This act shall take effect on October first of the current year. Effective date.
Approved March 4, 1937.

AN ACT PROVIDING FOR ABSENT VOTING AT REGULAR TOWN ELECTIONS. Chap. 77

Be it enacted, etc., as follows:

SECTION 1. Chapter fifty-four of the General Laws is hereby amended by striking out section one hundred and three A, inserted by section one of chapter three hundred and thirteen of the acts of nineteen hundred and thirty-three, and inserting in place thereof the following: — *Section 103A.* Sections eighty-six to one hundred and three, inclusive, of this chapter and sections twenty-seven and thirty-four of chapter fifty-six shall, so far as applicable, apply to regular city elections in any city which accepts this section by vote of its city council, subject to the provisions of its charter, and to regular town elections in any town which accepts this section at any annual meeting or any special town meeting held not less than ninety days before an annual meeting. All the rights, powers, duties and obligations conferred and imposed upon the state secretary by said sections shall, with respect to said city and town elections, be exercised and performed by the clerk of such city or town, and, in construing said sections for the purposes of this section, any reference to state elections shall be considered as referring to said city or town elections in such city or town.

G. L. (Ter. Ed.), 54, § 103A, etc., amended.

Absent voting.

In each such city which holds its regular city election annually, or which holds such election biennially in the even numbered years, and in which the date for such election is fixed by general or special law at a date earlier than the third Tuesday of December, the date of such city election shall be said third Tuesday and not such earlier date.

SECTION 2. Section ten of chapter fifty-three of the General Laws, as most recently amended by section two of chap-

G. L. (Ter. Ed.), 53, § 10, etc., amended.

ter forty-five of the acts of nineteen hundred and thirty-seven, is hereby further amended by striking out the third paragraph, as appearing in the Tercentenary Edition, and inserting in place thereof the following: —

Time for
filing nomina-
tion papers,
etc., in towns.

In any town which does not accept section one hundred and three A of chapter fifty-four, certificates of nomination for town offices shall be filed on or before the second Wednesday, and nomination papers on or before the second Thursday, preceding the day of the election; but if such Wednesday or Thursday falls on a legal holiday, the said certificates of nomination or nomination papers shall be filed on or before the succeeding day; but if a town election is held on a day of the week other than Monday, such certificates of nomination and nomination papers shall be filed, respectively, on or before the twelfth and eleventh days preceding the day of the election, except as otherwise provided in any special law affecting such town. In any town which accepts said section one hundred and three A, certificates of nomination and nomination papers for any regular town election shall be filed on or before the Thursday following the fourth Tuesday preceding such election, notwithstanding any special law affecting such town. In any such town the time for presenting nomination papers for certification to the registrars of voters, and for certifying the same, shall be governed by section seven of this chapter, notwithstanding any contrary provision in any special law.

G. L. (Ter.
Ed.), 53, § 11,
etc., amended.

SECTION 3. Section eleven of said chapter fifty-three, as amended by section three of said chapter three hundred and thirteen, is hereby further amended by striking out the sentence added by said section three and inserting in place thereof the following: — This section shall be in force in any city or town which accepts section one hundred and three A of chapter fifty-four, any special provision of law to the contrary notwithstanding.

Objections.

G. L. (Ter.
Ed.), 53, § 13,
etc., amended.

SECTION 4. Section thirteen of said chapter fifty-three, as most recently amended by chapter twenty-six of the acts of nineteen hundred and thirty-seven, is hereby further amended by striking out the sentence added by section four of said chapter three hundred and thirteen and inserting in place thereof the following: — This section shall be in force in any city or town which accepts section one hundred and three A of chapter fifty-four, any special provision of law to the contrary notwithstanding.

Withdrawals.

G. L. (Ter.
Ed.), 53, § 72A,
etc., amended.

SECTION 5. Said chapter fifty-three is hereby further amended by striking out section seventy-two A, inserted by section six of said chapter three hundred and thirteen, and inserting in place thereof the following: — *Section 72A.* In any city or town which accepts section one hundred and three A of chapter fifty-four, caucuses before regular city or town elections shall be held on the fourth Tuesday preceding such city or town elections, notwithstanding any contrary provision in any general or special law.

Caucuses, time
for holding.

Approved March 4, 1937.

AN ACT RELATIVE TO RECORDS AND RETURNS OF ABNORMAL SEX BIRTHS. *Chap. 78*

Be it enacted, etc., as follows:

SECTION 1. Section two A of chapter forty-six of the General Laws, inserted therein by chapter two hundred and seventy-nine of the acts of nineteen hundred and thirty-three, is hereby amended by inserting after the word "births" in the second line the words: — or abnormal sex births, — so as to read as follows: — *Section 2A.* Examination of records and returns of illegitimate births, or abnormal sex births, or of copies of such records in the office of the state secretary, shall not be permitted except upon proper judicial order, or upon request of a person seeking his own birth record, or his attorney, parent, guardian or conservator, or of a person whose official duties, in the opinion of the town clerk or state secretary, entitle him to the information contained therein, nor shall certified copies thereof be furnished except upon such order, or the request of such person.

G. L. (Ter. Ed.), 46, § 2A, etc., amended.

Impounding of certain birth records.

SECTION 2. Section twelve of said chapter forty-six, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "wedlock" in the thirteenth line the words: — or of a child of abnormal sex, — so as to read as follows: — *Section 12.* Except as hereinafter provided, each town clerk shall forthwith make a certified copy of the record of each birth and death recorded during the previous month, if the parents of the child born or the deceased were residents of any other town in the commonwealth or in any other state at the time of said birth or death, and transmit it to the clerk of the town where such parents or deceased person were so resident, stating the name of the street and number of the house, if any, where such parents or deceased person so resided; and the clerk of a town in the commonwealth receiving such certified copy, or certified copies of births, marriages or deaths, from the clerk of a town without the commonwealth, shall record the same and transmit to the state secretary a certified copy of the record thereof. No birth record of a child born out of wedlock or of a child of abnormal sex shall so be transmitted to any other city or town.

G. L. (Ter. Ed.), 46, § 12, amended.

Copies of records of births and deaths, etc.

Approved March 4, 1937.

AN ACT RELATIVE TO THE DESIGNATING OF BENEFICIARIES UNDER DEATH BENEFIT CERTIFICATES BY MEMBERS OF CERTAIN FRATERNAL BENEFIT SOCIETIES. *Chap. 79*

Be it enacted, etc., as follows:

Chapter one hundred and seventy-six of the General Laws is hereby amended by striking out section twenty-one, as most recently amended by chapter one hundred and seventy of the acts of nineteen hundred and thirty-four, and inserting in place thereof the following: — *Section 21.* Beneficiaries.

G. L. (Ter. Ed.), 176, § 21, etc., amended.

Beneficiaries.

Death benefits shall be payable to any beneficiary designated by the member; provided, that the society may by its by-laws make restrictions as to who may be beneficiaries. Each member shall have the right to change his beneficiary from time to time in accordance with the by-laws of the society; and no beneficiary shall have or obtain any vested interest in said benefits until the same have become due and payable upon the death of the member. No contract under this chapter, except where an incorporated charitable institution or home is made a beneficiary in accordance with the by-laws of the society, shall be valid which shall be conditioned upon an agreement or understanding that the person to whom the death benefit is made payable shall pay the periodic or other contributions of the member.

Approved March 4, 1937.

Chap. 80 AN ACT INCREASING THE SALARY OF THE MAYOR OF THE CITY OF CHELSEA.

Be it enacted, etc., as follows:

SECTION 1. Section sixty-five of Part II of chapter six hundred and eighty of the acts of nineteen hundred and eleven, as amended by section one of chapter one hundred and ninety-three of the acts of nineteen hundred and twenty-seven, is hereby further amended by striking out, in the second line, the words "thirty-five hundred" and inserting in place thereof the words:— five thousand,— and by striking out, in the twelfth line, the words "annual city" and inserting in place thereof the words:— biennial municipal,— so as to read as follows:— *Section 65.* The salary of the mayor shall be five thousand dollars per annum, and the salary of each alderman five hundred dollars per annum, except that in case of a vacancy in the office of mayor the president of the board of aldermen shall be entitled to the salary of mayor while performing the duties of mayor. These salaries shall be payable in equal monthly instalments. Upon the petition of at least twenty-five per cent of the aggregate number of registered voters in the city, the question of increasing or decreasing the salaries of the mayor or the aldermen shall be printed upon the ballot at the next biennial municipal election in substantially the following manner: "Shall the salary of the (mayor or aldermen) be increased or decreased to (the amount petitioned for) per annum?" and if the vote is in the affirmative, the increase or decrease shall take effect in the next municipal year thereafter. The members of the school committee shall receive no salary.

SECTION 2. This act shall be submitted for acceptance to the voters of the city of Chelsea at the biennial municipal election in the current year in the form of the following question which shall be placed upon the official ballot to be

used at said election: — “Shall an act passed by the general court in the year nineteen hundred and thirty-seven, entitled ‘An Act Increasing the Salary of the Mayor of the City of Chelsea’, be accepted?” If a majority of the votes cast on said question is in the affirmative, this act shall thereupon take effect, but not otherwise.

YES	
NO	

Approved March 4, 1937.

AN ACT PROVIDING FOR THE APPOINTMENT OF THE CITY SOLICITOR OF THE CITY OF CHELSEA BY THE MAYOR, SUBJECT TO THE APPROVAL OF THE BOARD OF ALDERMEN OF SAID CITY, AND TO THE REMOVAL OF SUCH SOLICITOR. Chap. 81

Be it enacted, etc., as follows:

SECTION 1. Section fifty-one of Part II of chapter six hundred and eighty of the acts of nineteen hundred and eleven is hereby amended by inserting after the word “aldermen” in the second line the words: —, a city solicitor, — so as to read as follows: — *Section 51.* The mayor shall appoint, subject to the approval of the board of aldermen, a city solicitor, a chief of police, a city engineer, who shall be superintendent of streets and sewers, who shall have the powers of surveyors of highways and all the powers of road commissioners not herein otherwise conferred; a chief engineer of the fire department; a superintendent of public buildings, and a superintendent of fire alarms. Every administrative officer so appointed shall, unless sooner removed, hold office until his successor is appointed and qualified. Any officer so appointed under this section may be removed by the mayor, for such cause as he shall deem sufficient and shall assign in writing in his order of removal, and the removal shall take effect upon the filing of the order in the office of the city clerk and the service of a copy of such order upon the officer removed either personally or at his last or usual place of residence. The city clerk shall keep such order on file and subject to public inspection.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the city of Chelsea at the biennial municipal election in the current year in the form of the following question, which shall be placed upon the official ballot to be used at said election: “Shall an act passed by the general court in the year nineteen hundred and thirty-seven, entitled ‘An act providing for the appointment of the city solicitor of the city of Chelsea by the mayor, subject to the approval of the board of aldermen of said city, and to the removal of such solicitor’, be accepted?” If a majority of the votes cast on said question is in the affirmative, then this act shall take effect on the first Monday of January in the year nineteen hundred and thirty-eight, but not otherwise.

Approved March 4, 1937.

Chap. 82 AN ACT RELATIVE TO APPROPRIATIONS BY THE TOWN OF HARWICH FOR PUBLIC AMUSEMENTS.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter two hundred and seventy-two of the acts of nineteen hundred and twenty-nine, as amended by section one of chapter twelve of the acts of nineteen hundred and thirty, is hereby further amended by striking out, in the first and second lines, the words "two thirds" and inserting in place thereof the word: — majority, — so as to read as follows: — *Section 1.* The town of Harwich may, by a majority vote at any annual town meeting, appropriate a sum not exceeding twenty-five hundred dollars, to be expended under the direction of the selectmen, for the purpose of providing amusements or entertainments of a public character.

SECTION 2. This act shall take effect upon its passage.

Approved March 5, 1937.

Chap. 83 AN ACT RELATIVE TO APPROPRIATIONS BY THE TOWN OF ORLEANS FOR PUBLIC AMUSEMENTS.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and fifty-eight of the acts of nineteen hundred and twenty-nine is hereby amended by striking out, in the first line, the words "two thirds" and inserting in place thereof the word: — majority, — so as to read as follows: — *Section 1.* The town of Orleans may, by a majority vote, appropriate each year a sum not exceeding twenty-five hundred dollars for providing amusements or entertainments of a public character. The money so appropriated by the town shall be expended under the direction of the board of selectmen.

SECTION 2. This act shall take effect upon its passage.

Approved March 5, 1937.

Chap. 84 AN ACT PLACING UNDER THE CIVIL SERVICE ALL EMPLOYEES OF THE STATE SUPERINTENDENT OF BUILDINGS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 8, § 4,
etc., amended.

SECTION 1. Chapter eight of the General Laws is hereby amended by striking out section four, as most recently amended by chapter two hundred and fifty-one of the acts of nineteen hundred and thirty-five, and inserting in place thereof the following: — *Section 4.* He may appoint such clerks, engineers, electricians, firemen, oilers, mechanics, watchmen, elevator operators, porters, cleaners and other persons as may be necessary to enable him to perform his duties. Watchmen appointed hereunder for service at the state house or on the grounds thereof shall be designated as capitol police and shall, when on duty, wear and display a

Appointment
of employees.

metallic badge bearing the seal of the commonwealth and the words "Capitol Police". He shall be responsible for the fitness and good conduct of all such employees.

SECTION 2. The offices and positions of all employees of the superintendent of buildings shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations, and the tenure of office or employment of any such employee shall be unlimited, subject, however, to said laws, but the persons holding said offices and positions on said effective date may continue to serve therein without taking a civil service examination.

Certain present employees placed under civil service.

Approved March 5, 1937.

AN ACT PROVIDING FOR ONE DAY OFF IN EVERY SEVEN DAYS
FOR POLICE OFFICERS IN CERTAIN CITIES AND TOWNS. *Chap. 85*

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and forty-seven of the General Laws is hereby amended by inserting after section sixteen, as appearing in the Tercentenary Edition, the following new section:— *Section 16A.* Except in Boston, members of the police department of every town which accepts the provisions of this section by vote of its city council or selectmen, whether or not section fourteen, fifteen or sixteen has theretofore been operative therein, shall be excused from duty for one day out of every seven without loss of pay.

G. L. (Ter. Ed.), 147, new section 16A, added.

One day off in seven for police officers.

SECTION 2. Section seventeen of said chapter one hundred and forty-seven, as so appearing, is hereby amended by striking out, in the second line, the word "three" and inserting in place thereof the word:— four, — and by inserting after the word "sixteen" in the seventeenth line the words:— , or fifty-two in each year in a town subject to section sixteen A, — so as to read as follows:— *Section 17.* The time and manner of excusing members of police departments from duty in any town subject to any of the four preceding sections shall be determined by the chief, superintendent or other officer or board at the head of the police department. A member so excused shall be exempt from duty and from attendance at a police station or other place, but otherwise shall be subject to all laws, rules and regulations relating to members of the department to which he belongs. The chief, superintendent or other officer or board at the head of the police department of any such town may, in case of any public emergency, or of any unusual demand for the services of the police in that town, prevent any member of the department from taking the day off at the time when he is entitled thereto, or at the time assigned therefor, provided that such day off shall be granted to him as soon thereafter as is practicable. In no case shall the number of such days off be less than twelve in each year in a town subject to section fourteen, or twenty-four in each

G. L. (Ter. Ed.), 147, § 17, amended.

Same subject. General provisions.

year in a town subject to section fifteen, or forty-five in each year in a town subject to section sixteen, or fifty-two in each year in a town subject to section sixteen A, and they shall be in addition to any annual vacation now or hereafter allowed to members of the said departments, and such annual vacation shall not be diminished on account thereof.

Approved March 5, 1937.

Chap. 86 AN ACT RELATIVE TO MEDICAL ATTENDANCE FURNISHED TO CERTAIN NEEDY PERSONS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 117, § 19, amended.

Section nineteen of chapter one hundred and seventeen of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following new paragraph: —

Lack of legal settlement not to bar persons from receiving medical treatment.

No town shall execute a contract or agreement for the services of a physician which excludes attendance upon or treatment of persons having no legal settlement or having a legal settlement in other towns.

Approved March 5, 1937.

Chap. 87 AN ACT CLARIFYING THE LAW IN REGARD TO INVESTMENT IN CERTAIN BANK STOCKS BY SAVINGS BANKS AND SAVINGS DEPARTMENTS OF TRUST COMPANIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 168, § 54, etc., amended.

Clause Seventh of section fifty-four of chapter one hundred and sixty-eight of the General Laws, as amended by chapter two hundred and twenty of the acts of nineteen hundred and thirty-two, is hereby further amended by striking out, in the fifth line, the word "thereon" and inserting in place thereof the words: — on its capital stock, — so that the first paragraph of said clause will read as follows: —

Bank stocks and deposits in banks.

In the stock of a trust company incorporated under the laws of and doing business within this commonwealth, or in the stock of a national banking association located in the New England states and incorporated under the authority of the United States, which has paid dividends of not less than four per cent on its capital stock in cash in each of the five years next preceding the date of such investment and the amount of whose surplus is at least equal to fifty per cent of its capital; but a savings bank shall not hold, both by way of investment and as security for loans, more than twenty-five per cent of the stock of any one such company or association, nor shall it hold by way of investment stock of such companies and associations having an aggregate initial cost in excess of fifteen per cent of the deposits of such savings bank, or stock of any one such company or association having an initial cost in excess of one per cent of the deposits aforesaid, except that in the event of the consolidation or merger of such companies or associations or of one or more such companies with one or more such associations the amount of

stock of the consolidated or absorbing company or association which may be held under authority hereof may be in excess of one per cent but not in excess of two per cent of the deposits aforesaid, provided the stock so held is acquired in exchange for stock of the consolidating or merging companies or associations which is owned by such savings bank at the time of consolidation or merger.

Approved March 5, 1937.

AN ACT FURTHER EXTENDING THE TIME DURING WHICH THE CITIES OF LYNN, PEABODY, SALEM AND BEVERLY AND THE TOWN OF DANVERS MAY TAKE WATER FROM THE IPSWICH RIVER FOR EMERGENCY PURPOSES.

Chap. 88

Be it enacted, etc., as follows:

Section one of chapter one hundred and fifteen of the Special Acts of nineteen hundred and nineteen, as most recently amended by chapter fifty of the acts of nineteen hundred and thirty-three, is hereby further amended by striking out, in the twelfth to fourteenth lines, inclusive, the words "nineteen hundred and thirty-three, nineteen hundred and thirty-four, nineteen hundred and thirty-five and nineteen hundred and thirty-six" and inserting in place thereof the following:—nineteen hundred and thirty-seven, nineteen hundred and thirty-eight and nineteen hundred and thirty-nine,—so as to read as follows:—*Section 1.* The cities of Lynn, Peabody, Salem and Beverly and the town of Danvers, authorized to take water from the Ipswich river or its tributaries during the months from December to May, inclusive, under the provisions of chapter five hundred and eight of the acts of nineteen hundred and one and chapters six hundred and ninety-eight, six hundred and ninety-nine and seven hundred of the acts of nineteen hundred and thirteen, are hereby further authorized, in case of emergency, to take water from said river or its tributaries during the months from June to November, inclusive, in the years nineteen hundred and thirty-seven, nineteen hundred and thirty-eight and nineteen hundred and thirty-nine, or any of said years, in quantities not exceeding those which may be taken from December to May, inclusive, as set forth in said acts, whenever, in the opinion of the department of public health, the taking of water during the months aforesaid in the years mentioned, or any of them, is necessary to provide an adequate water supply for the cities and town herein mentioned, subject otherwise to the remaining provisions of said acts.

Approved March 5, 1937.

AN ACT RELATIVE TO HUNTING WITHIN THE BOUNDARIES OF CERTAIN PUBLIC LANDS.

Chap. 89

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and nine of chapter one hundred and thirty-one of the General Laws, as most re-

G. L. (Ter. Ed.), 131, § 109, etc., amended.

Open season
for deer.
Penalty.

cently amended by section one of chapter one hundred and thirty-eight of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out, in the twenty-second to the twenty-fourth lines, the words "in any state reservation subject to section one hundred and fourteen except as provided therein" and inserting in place thereof the words:— within the boundaries of any public lands subject to section one hundred and fourteen, — and by inserting after the word "killing" in the thirty-second line the following new sentence:— This section shall not authorize the hunting of deer in any state forest reservation or any state park or reservation under the control of the division of parks of the department; but the hunting of deer in any such reservation or park shall be authorized during the whole or any part of the open season for deer provided by this section, if and as permitted by regulations made by the commissioner, — so as to read as follows:— *Section 109.* Subject to the restrictions and provisions hereinafter contained, any person duly authorized to hunt in the commonwealth may hunt a deer, by the use of a shotgun or bow and arrow, in all counties except Dukes, between one half hour before sunrise and one half hour after sunset of each day beginning with the first Monday in December and ending with the following Saturday, and in any or all of the counties of Berkshire, Franklin, Hampden and Hampshire, if the additional hunting period hereinafter specified is authorized in such county or counties by the director, as evidenced by an order filed in his office and advertised in a newspaper or newspapers published in such county or counties not less than ten days prior to the first Monday in December, between one half hour before sunrise and one half hour after sunset of each day, beginning with the second Monday in December and ending with the following Saturday. No person shall, except as provided in the preceding section, kill more than one deer. No deer shall be hunted on land posted in accordance with section one hundred and twenty-three, or on land under control of the metropolitan district commission, or within the boundaries of any public lands subject to section one hundred and fourteen. No person shall make, set or use any trap, torch light or jack light, salt lick or other device for the purpose of ensnaring, enticing, taking, injuring or killing a deer. No person shall use or carry on his person an arrow adapted for hunting purposes unless it is plainly marked with his name and permanent address. Whoever wounds or kills a deer shall, within forty-eight hours thereafter, send to the director a written report, signed by him, of the facts relative to the wounding or killing. This section shall not authorize the hunting of deer in any state forest reservation or any state park or reservation under the control of the division of parks of the department; but the hunting of deer in any such reservation or park shall be authorized during the whole or any part of the open season for deer provided by this sec-

tion, if and as permitted by regulations made by the commissioner. Whoever violates any provision of this section shall be punished by a fine of not less than fifty nor more than one hundred dollars.

SECTION 2. Said chapter one hundred and thirty-one is hereby further amended by striking out section one hundred and fourteen, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 114.* No person shall hunt, or in any manner molest or destroy any bird or mammal within the boundaries of any state reservation, park, common or any land owned or leased by the commonwealth or any political subdivision thereof or any land held in trust for public use, except that the authorities or persons having the control and charge of such reservations, parks, commons or other lands may, with such limitations as they may deem advisable, authorize persons to hunt within said boundaries any of the birds named in section seventy-seven, or the fur-bearing mammals, except muskrats, mentioned in section ninety-seven, or foxes, weasels or wildcats. Such an authorization shall be by written license, revocable at the pleasure of the authorities or persons granting it. The boards, officials and persons having charge of such reservations, parks, commons or lands owned or leased or held for public use shall enforce this section.

G. L. (Ter. Ed.), 131, § 114, amended.

Hunting on public lands regulated.

This section shall not apply to state forests acquired under section thirty or thirty-three of chapter one hundred and thirty-two or any other provision of law, or to state parks and reservations under the control of the division of parks of the department.

Approved March 5, 1937.

AN ACT FURTHER REGULATING THE USE OF THE MARKET
LIMITS OF THE CITY OF BOSTON.

Chap. 90

Be it enacted, etc., as follows:

SECTION 1. Section eight of chapter five hundred and eighty-four of the acts of nineteen hundred and seven, as amended by section one of chapter five hundred and nineteen of the acts of nineteen hundred and eight, is hereby further amended by striking out, in the twelfth to the seventeenth lines, inclusive, the words "or of a farm within ten miles of the residence of such person; or are to be sold at wholesale only by the party offering the same for sale on commission, for, or as agent for, some person or persons not residing or having a usual place of business within eight miles of said market;"; — by striking out, in the twenty-ninth line, the words "drawn by horses"; — and by adding at the end thereof the following: — Nothing in this section shall prevent the owner of a farm from allowing a person or persons solely employed by him to sell the products of such farm, — so as to read as follows: — *Section 8.* Requirements and prohibitions contained in this act or elsewhere to the

contrary notwithstanding, it shall be lawful to occupy without license or fee places in the streets, not including sidewalks, within the limits of Faneuil Hall Market, as the same are or may be defined in the ordinances of the city of Boston, and other market limits added under authority of chapter three hundred and seventy-six of the acts of the year eighteen hundred and ninety-six, for the sale from wagons or other vehicles of fresh provisions and perishable produce: *provided*, that the same are the product of the farm of the person offering them for sale, or are meats to be sold at wholesale only by the person who slaughtered the animals of which the same were a part. It shall also be lawful for persons who are the principal tenants of basement or of ground-floor parts of buildings abutting on streets within the market limits, as they have been declared or defined by the street commissioners of the city of Boston, and who are regularly engaged in the business of selling fresh provisions or perishable produce to occupy, from time to time, by themselves or their employees, without license or fee, for the sale of said goods at wholesale and not by auction, parts of the roadway in front of their respective premises with vehicles, and in like manner to occupy parts of the roadway in front of the premises of other persons engaged in the same business within said limits for the purpose of selling to them or of offering to them for sale said goods under the conditions described in this section; *provided, however*, that such persons offer no objection. Occupations under authority of this section shall be only in accordance with rules and regulations established from time to time by the street commissioners of the city of Boston, the police commissioner of the city of Boston concurring, for the purpose of securing the orderly and convenient transaction of business and the free passage of vehicles and of foot passengers within and through said limits; and in so far as they shall deem proper the said street commissioners, the police commissioner concurring, may further allow tenants to occupy temporarily with goods parts of sidewalks in front of their respective premises additional to such parts as may be specified in licenses issued to them by the street commissioners. Nothing in this section shall prevent the owner of a farm from allowing a person or persons solely employed by him to sell the products of such farm.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1937.

Chap. 91 AN ACT RELATIVE TO THE TERM OF CERTAIN LICENSES FOR THEATRICAL AND LIKE EXHIBITIONS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. A license to be exercised in a building licensed as a theatre issued, after the date of passage of this act, for a theatrical season under the provisions of section

one of chapter four hundred and ninety-four of the acts of nineteen hundred and eight, as amended, shall expire on the thirty-first day of December of the year during the whole or a portion of which it is to be exercised.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1937.

AN ACT ABOLISHING THE SWANSEA FIRE AND WATER DISTRICT. *Chap. 92*

Be it enacted, etc., as follows:

SECTION 1. The Swansea Fire and Water District, established by chapter three hundred and seventeen of the acts of nineteen hundred and thirty-three and enlarged by chapter three hundred and fifty-nine of the acts of said year, is hereby abolished.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1937.

AN ACT CHANGING THE PERIOD OF THE OPERATING YEAR IN CONNECTION WITH THE OPERATION AND MAINTENANCE OF THE SUMNER TUNNEL IN THE CITY OF BOSTON. *Chap. 93*

Be it enacted, etc., as follows:

SECTION 1. Section eleven of chapter two hundred and ninety-seven of the acts of nineteen hundred and twenty-nine, as amended by section one of chapter seventy-four of the acts of nineteen hundred and thirty-five, is hereby further amended by striking out, in the eleventh line, the word "March" and inserting in place thereof the word:— December, — so as to read as follows:— *Section 11.* If at any time during the operation of the tunnel the receipts from tolls and charges as established under section nine or twelve are insufficient to meet the operating costs, including for sinking fund requirements, however, only such amount as is required by section eight, the treasurer of the city is hereby authorized and directed to make payments on account of the same from any funds in the treasury of the city, including temporary tax loan funds but excluding trust funds. If for any year ending on the last day of December the operating costs, including for sinking fund requirements, however, only such amount as is required by section eight, exceed the receipts from such tolls and charges, the said treasurer shall notify the assessors of the city of the amount of such excess and the same amount shall be added to the amount to be raised by the city in the next annual tax levy. Any such amount shall be in excess of the limit imposed by law on the amount to be raised for municipal purposes by taxation in said city.

SECTION 2. Section twelve of said chapter two hundred and ninety-seven, as most recently amended by section four of chapter four hundred and fifty-five of the acts of nineteen hundred and thirty-five, is hereby further amended

by striking out, in the second line, the word "March" and inserting in place thereof the word:— December,— so as to read as follows:— *Section 12.* Whenever as of the last day of December in any year the receipts from tolls and charges as established under section nine or under this section exceed the operating costs, excluding for this purpose interest and sinking fund requirements in respect of the said three million dollars of bonds and in respect of the said six hundred thousand dollars of bonds, but including sinking fund requirements in respect of the said sixteen million dollars of bonds on a basis of the payment of all of the said sixteen million dollars of bonds at the expiration of twenty years after their respective dates, said excess shall be transferred to the general funds of the city so far as necessary to reimburse it for any amounts raised by taxation under section eleven, exclusive of any amounts so raised for interest or sinking fund requirements in respect of the said three million dollars of bonds and in respect of the said six hundred thousand dollars of bonds. If any such excess occurs after the city shall have been reimbursed in full for all amounts so raised by taxation, exclusive of amounts for interest and sinking fund requirements in respect of the said three million dollars of bonds and of the said six hundred thousand dollars of bonds, the public works department shall, subject to the provisions of section nine, establish a reduced schedule of tolls and charges, sufficient, however, to meet the operating costs; provided, however, that until all of the said three million dollars of bonds and of the said six hundred thousand dollars of bonds, shall become payable, whether at their final maturity or when called as hereinbefore provided, of such excess not so needed for such reimbursement so much thereof as shall be required for the payment of the interest and principal of the said three million dollars of bonds shall be paid into said first supplemental sinking fund to be applied by the treasurer to the payment of the interest and principal of the said three million dollars of bonds, on a basis of the payment of all of the said three million dollars of bonds at the expiration of twenty years after their respective dates, and the remainder of such excess shall be paid into such second supplemental sinking fund to be applied by the treasurer to the payment of the interest and principal of the said six hundred thousand dollars of bonds. In case it shall be determined that all of such excess cannot be so paid without impairing rights secured by the constitution of the United States to holders of any of the said sixteen million dollars of bonds heretofore sold and paid for or to holders of any of the said three million dollars of bonds heretofore sold and paid for, then to the extent that such excess can be so paid without such impairment, so much thereof as may be required for interest and sinking fund requirements in respect of the said three million dollars of bonds on a basis of the payment thereof at the expiration of twenty years after their respective dates

shall be paid into the said first supplemental sinking fund and the remainder shall be paid into the second supplemental sinking fund as hereinbefore provided. If the amounts so directed to be contributed to the said first and second supplemental sinking funds shall be more than necessary to meet the interest on the said three million dollars of bonds and on the said six hundred thousand dollars of bonds and to retire the principal thereof at the expiration of twenty years after their respective dates, the public works department shall establish the said reduced schedule as hereinbefore provided.

SECTION 3. Reference in section one to "any year ending on the last day of December" shall mean the nine month period between the last day of March and the last day of December in the year nineteen hundred and thirty-six, as well as each calendar year beginning with the calendar year nineteen hundred and thirty-seven.

SECTION 4. This act shall take effect upon its passage.

Approved March 11, 1937.

AN ACT REPEALING PROVISIONS OF LAW PERMITTING APPLICANTS FOR REGISTRATION AS BARBERS TO PRACTICE BARBERING PENDING REGISTRATION. Chap. 94

Be it enacted, etc., as follows:

The second paragraph of section eighty-seven H of chapter one hundred and twelve of the General Laws, as most recently amended by section one of chapter three hundred and fourteen of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out, in the first to the seventh lines, the words "Each person making application for examination hereunder shall be allowed to practice the occupation of barbering until the next meeting of the board, and the board shall grant without charge a permit authorizing him to practice such occupation until such next meeting; provided, that the board may, in its discretion, extend such permits until the date of a subsequent meeting of the board", — by striking out, in the sixteenth to the nineteenth lines, the words "A new temporary permit shall be issued for each re-examination fee paid. No applicant for registration who has filed an application and holds a temporary permit, and no" and inserting in place thereof the word: — No, — and by striking out the comma after the word "barber" in the twentieth line, — so as to read as follows: — Any applicant failing to pass an examination satisfactory to the board shall thereafter be entitled to re-examination by payment of a fee of five dollars and by filing a re-examination application upon a form furnished by the board, but two re-examinations shall exhaust his privilege under his original application, and if he fails to apply for re-examination within one year after his original examination, or to appear for re-examination when notified so to do,

G. L. (Ter. Ed.), 112, § 87H, etc., amended.

Re-examination of applicants.

his re-examination privilege for such original application shall be forfeited. No person who holds a card as an apprentice barber shall be permitted to open and/or to operate a barber shop until he has successfully passed the required examination and obtained a certificate of registration. Before any registered barber opens a barber shop he shall apply to the board for the inspection and approval thereof, and the board shall collect a fee of five dollars for each such inspection.

Approved March 11, 1937.

Chap. 95 AN ACT RELATIVE TO THE LICENSING OF DOG KENNELS IN CASE OF THEIR REMOVAL TO OTHER MUNICIPALITIES WITHIN THE SAME COUNTY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 140, § 137A, etc., amended.

Section one hundred and thirty-seven A of chapter one hundred and forty of the General Laws, inserted by section three of chapter three hundred and twenty of the acts of nineteen hundred and thirty-four, is hereby amended by adding at the end the following new paragraph: —

Kennel licenses, transfer of.

Any holder of a license for a kennel in any town may remove his kennel to a location in any other town in the same county, with the written approval of such new location of the mayor or selectmen of the town to which he removes his kennel. Before such removal he shall deliver to the clerk of the town into which he intends to remove his kennel the written approval of the mayor or selectmen thereof and his original license, and the clerk shall thereupon, on payment of a fee of one dollar, issue to him a new license covering the new location for the balance of the period of the original license.

Approved March 11, 1937.

Chap. 96 AN ACT RELATIVE TO THE MATURITY DATE OF CERTAIN PUBLIC UTILITY BONDS WHICH ARE LEGAL INVESTMENTS FOR SAVINGS BANKS AND SAVINGS DEPARTMENTS OF TRUST COMPANIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 168, § 54, amended.

Clause Sixth A of section fifty-four of chapter one hundred and sixty-eight of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out in the first line the word "thirty" and inserting in place thereof the word: — forty, — so that the first paragraph of said clause will read as follows: — In the bonds, maturing not later than forty years subsequent to such investment, issued or assumed by any corporation incorporated under the laws of the United States or of any state thereof which is operating under the supervision of a public service or other similar commission of the United States or of any state thereof exercising regulatory jurisdiction therein and is engaged in the sale and distribution of electricity, or in such sale and distribution and also in some other form of

Public service company securities.

public service enterprise, or in the manufacture and distribution of artificial gas, or in the sale or distribution, of natural gas supplied in substitution for or in mixture with artificial gas, but in no case shall the bonds of any company engaged in the sale or distribution of natural gas become a legal investment unless said company maintains at all times full facilities for the manufacture of artificial gas in quantities sufficient to supply the normal demand, and is doing at least eighty per cent of its business within the territorial limits of the United States; provided, that —

Approved March 11, 1937.

AN ACT RELATIVE TO THE FEES FOR RECORDING INSTRUMENTS OF TAKING FOR NON-PAYMENT OF TAXES. Chap. 97

Be it enacted, etc., as follows:

The second paragraph of section thirty-eight of chapter two hundred and sixty-two of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the words: — The fee for recording an instrument of taking of land for non-payment of taxes shall be one dollar, — so as to read as follows: —

G. L. (Ter. Ed.), 262, § 38, amended.

For entering and recording any paper, certifying the same on the original, and indexing it, and for all other duties pertaining thereto, including, when a marginal reference or references are required, one such reference, one dollar. If the paper contains more than one page, at the rate of forty-five cents for each page after the first; provided, that if the paper contains the names of more than two parties thereto, other than the husband or wife of the grantor or grantee, an additional fee of ten cents each shall be charged for indexing the names of additional grantors or grantees or other parties thereto. The minimum fee for recording a deed or conveyance or a mortgage shall be two dollars. The fee for recording an instrument of taking of land for non-payment of taxes shall be one dollar.

Certain fees of registers of deeds.

Approved March 11, 1937.

AN ACT RELATIVE TO THE INVESTMENT AND DISBURSEMENT OF FUNDS IN THE HANDS OF THE TRUSTEES OF THE BURLEY EDUCATION FUND IN IPSWICH. Chap. 98

Be it enacted, etc., as follows:

SECTION 1. The Trustees of the Burley Education Fund in Ipswich, incorporated by chapter twelve of the acts of eighteen hundred and twenty-five, shall cause all sums of money, including all accumulations of income and all proceeds from property, which have or may hereafter come into their hands to be placed at interest in savings banks or co-operative banks within the commonwealth or to be invested in bonds or notes of the commonwealth or of the town of Ipswich, and whenever the principal of said sums, including

said accumulations and proceeds, exceeds five thousand dollars, any portion of any excess over five thousand dollars may, in the discretion of the trustees, be appropriated to the purposes authorized by said chapter twelve; provided, that nothing in this act shall prevent said trustees from investing and expending any donations made to them in accordance with the directions of the donor.

SECTION 2. Whatever authority or right is granted or conferred by this act is hereby declared to be limited to such authority or right as the general court may constitutionally grant or confer.

SECTION 3. This act shall not take full effect until it shall have been accepted on the part of the town of Ipswich, by vote of a majority of the legal voters of the town present and voting thereon at an annual or special town meeting; and, on the part of the Trustees of the Burley Education Fund in Ipswich, by vote of said trustees, and a certified copy of said last mentioned vote shall have been filed with the clerk of said town and with the state secretary.

Approved March 11, 1937.

Chap. 99 AN ACT RELATIVE TO THE MAKING, DRAWING, UTTERING AND DELIVERY OF FRAUDULENT CHECKS, DRAFTS AND ORDERS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 266, § 37, amended.

Drawing, etc., of fraudulent checks.

Chapter two hundred and sixty-six of the General Laws is hereby amended by striking out section thirty-seven, as appearing in the Tercentenary Edition, and inserting in place thereof the following:—*Section 37.* Whoever, with intent to defraud, makes, draws, utters or delivers any check, draft or order for the payment of money upon any bank or other depository, with knowledge that the maker or drawer has not sufficient funds or credit at such bank or other depository for the payment of such instrument, although no express representation is made in reference thereto, shall be guilty of attempted larceny, and if money or property is obtained thereby shall be guilty of larceny. As against the maker or drawer thereof, the making, drawing, uttering or delivery of such a check, draft or order, payment of which is refused by the drawee, shall be prima facie evidence of intent to defraud and of knowledge of insufficient funds in, or credit with, such bank or other depository, unless the maker or drawer shall have paid the holder thereof the amount due thereon, together with all costs and protest fees, within two days after receiving notice that such check, draft or order has not been paid by the drawee. The word “credit”, as used herein, shall be construed to mean an arrangement or understanding with the bank or depository for the payment of such check, draft or order.

Approved March 11, 1937.

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE
COUNTY OF NORFOLK TO PROVIDE ADEQUATE ACCOMMO-
DATIONS FOR THE DISTRICT COURT OF EAST NORFOLK AT
QUINCY AND FOR THE DISTRICT COURT OF NORTHERN
NORFOLK AT DEDHAM. Chap.100

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate court house accommodations and facilities for the district court of east Norfolk, the county commissioners of Norfolk county may construct and originally furnish and equip additions to the district court house at Quincy, and, for the purpose of providing such accommodations and facilities for the district court of northern Norfolk, said commissioners may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, such land in Dedham as may be necessary and may erect on such land a suitable building for said court and may equip and furnish the same.

SECTION 2. For the purposes aforesaid, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county, such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on the face the words, Norfolk County District Court House Loan, Act of 1937. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than five years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 3. The county treasurer, with the approval of the county commissioners, may issue temporary notes of the county, payable in not more than one year from their dates, in anticipation of the issue of serial bonds or notes under this act, but the time within which such serial bonds or notes shall become due and payable shall not, by reason of such temporary notes, be extended beyond the time fixed by this act. Any notes issued in anticipation of the serial bonds or notes shall be paid from the proceeds thereof.

SECTION 4. This act shall take effect upon its acceptance during the current year by the county commissioners of said county, but not otherwise. *Approved March 11, 1937.*

*Chap.*101 AN ACT REGULATING THE EFFECT OF CERTAIN FINAL DECREES IN EQUITY MADE BY THE PROBATE AND LAND COURTS, AND THE EFFECT OF THE RECORDING OR REGISTRATION OF CERTIFIED COPIES OF SUCH DECREES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 183, § 43,
amended.

SECTION 1. Section forty-three of chapter one hundred and eighty-three of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the second line, the words "or superior" and inserting in place thereof the words:—, superior, probate or land, — so as to read as follows:— *Section 43.* Whenever a final decree in equity shall be made by the supreme judicial, superior, probate or land court directing that a deed, conveyance or release of any real estate or interest therein shall be made, and the party directed to make such deed, conveyance or release does not duly execute it within the time specified in the decree, the decree itself shall operate to vest title to the real estate or interest in the party entitled thereto by the decree as fully and completely as if such deed, conveyance or release had duly been executed by the party directed to make it.

Title by
decree of
court.

G. L. (Ter.
Ed.), 183, § 44,
amended.

SECTION 2. Section forty-four of said chapter one hundred and eighty-three, as so appearing, is hereby amended by striking out, in the second line, the words "or assistant clerk" and inserting in place thereof the words:—, assistant clerk, register or assistant register, recorder or deputy recorder, as the case may be, — so as to read as follows:— *Section 44.* The recording or registration of a duly certified copy of such decree, attested by the clerk, assistant clerk, register or assistant register, recorder or deputy recorder, as the case may be, of the court where made, in the registry of deeds of the district where said real estate is situated, shall have the same force and effect as if a duly executed deed, conveyance or release had so been recorded or registered.

Recording
of copies
of decree.

Approved March 12, 1937.

*Chap.*102 AN ACT ADVANCING THE DATE UPON WHICH THE ULTIMATE ABOLITION OF NON-CONTRIBUTORY PENSIONS AND RETIREMENT ALLOWANCES FOR CERTAIN PUBLIC EMPLOYEES SHALL BECOME EFFECTIVE.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 32, § 44,
etc., amended.

SECTION 1. Section forty-four of chapter thirty-two of the General Laws, as most recently amended by chapter two hundred and twenty-three of the acts of nineteen hundred and thirty-six, is hereby further amended by striking

out, in the first and second lines of the last paragraph, the words "December thirty-first" and inserting in place thereof the words: — June thirtieth, — so that said paragraph will read as follows: —

No school janitor whose employment begins after June thirtieth, nineteen hundred and thirty-seven, shall be subject to the provisions of this section. School janitors.

SECTION 2. Section sixty of said chapter thirty-two, as amended by section two of chapter two hundred and eighty-five of the acts of nineteen hundred and thirty-four, is hereby further amended by striking out, in the first and second lines of the paragraph inserted thereby, the words "December thirty-first" and inserting in place thereof the words: — June thirtieth, — so that said paragraph will read as follows: — G. L. (Ter. Ed.), 32, § 60, etc., amended.

No veteran whose employment first begins after June thirtieth, nineteen hundred and thirty-seven, shall be subject to the provisions of sections fifty-six to fifty-nine, inclusive. Veterans.

SECTION 3. Section sixty A of said chapter thirty-two, as amended by section three of said chapter two hundred and eighty-five, is hereby further amended by striking out, in the first and second lines of the paragraph inserted thereby, the words "December thirty-first" and inserting in place thereof the words: — June thirtieth, — so that said paragraph will read as follows: — G. L. (Ter. Ed.), 32, § 60A, etc., amended.

No army nurse whose employment begins after June thirtieth, nineteen hundred and thirty-seven, shall be subject to the provisions of this section. Army nurses.

SECTION 4. Section sixty-six of said chapter thirty-two, as amended by section four of said chapter two hundred and eighty-five, is hereby further amended by striking out, in the first and second lines of the paragraph inserted thereby, the words "December thirty-first" and inserting in place thereof the words: — June thirtieth, — so that said paragraph will read as follows: — G. L. (Ter. Ed.), 32, § 66, etc., amended.

No court officer whose employment begins after June thirtieth, nineteen hundred and thirty-seven, shall be subject to the provisions of this section. Court officers.

SECTION 5. Section seventy of said chapter thirty-two, as amended by section five of said chapter two hundred and eighty-five, is hereby further amended by striking out, in the first and second lines of the paragraph inserted thereby, the words "December thirty-first" and inserting in place thereof the words: — June thirtieth, — so that said paragraph will read as follows: — G. L. (Ter. Ed.), 32, § 70, etc., amended.

No call officer whose employment begins after June thirtieth, nineteen hundred and thirty-seven, shall be subject to the provisions of this section. Call officers.

SECTION 6. Section seventy-five of said chapter thirty-two, as amended by section six of said chapter two hundred and eighty-five, is hereby further amended by striking out, in the second line of the paragraph inserted thereby, the G. L. (Ter. Ed.), 32, § 75, etc., amended.

words "December thirty-first" and inserting in place thereof the words: — June thirtieth, — so that said paragraph will read as follows: —

Probation officers.

No probation officer or assistant probation officer whose employment begins after June thirtieth, nineteen hundred and thirty-seven, shall be subject to the provisions of this section.

G. L. (Ter. Ed.), 32, § 78A, etc., amended.

SECTION 7. Section seventy-eight A of said chapter thirty-two, inserted by section seven of said chapter two hundred and eighty-five, is hereby amended by striking out, in the second line, the words "December thirty-first" and inserting in place thereof the words: — June thirtieth, — so as to read as follows: — *Section 78A.* No laborer whose employment begins after June thirtieth, nineteen hundred and thirty-seven, shall be subject to the provisions of section seventy-seven or seventy-eight.

Laborers.

G. L. (Ter. Ed.), 32, § 80, etc., amended.

SECTION 8. Section eighty of said chapter thirty-two, as most recently amended by section one of chapter four hundred and thirty-nine of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out, in the first and second lines of the last paragraph, the words "December thirty-first" and inserting in place thereof the words: — June thirtieth, — so that said paragraph will read as follows: —

Firemen.

No fireman whose employment begins after June thirtieth, nineteen hundred and thirty-seven, shall be subject to the provisions of this section.

G. L. (Ter. Ed.), 32, § 85C, etc., amended.

SECTION 9. Section eighty-five C of said chapter thirty-two, inserted by section nine of said chapter two hundred and eighty-five, is hereby amended by striking out, in the third line, the words "December thirty-first" and inserting in place thereof the words: — June thirtieth, — so as to read as follows: — *Section 85C.* No policeman or fireman whose employment begins after June thirtieth, nineteen hundred and thirty-seven, shall be subject to the provisions of sections eighty-three to eighty-five B, inclusive, or any of them.

Certain police and firemen.

1934, 285, § 10, amended.

SECTION 10. Section ten of said chapter two hundred and eighty-five is hereby amended by striking out, in the fourth line, the words "December thirty-first" and inserting in place thereof the words: — June thirtieth, — so as to read as follows: — *Section 10.* No person who is appointed or employed by an office, board, commission or other governmental organization or agency in any county, city, town or district in the commonwealth after June thirtieth, nineteen hundred and thirty-seven, shall be subject to the provisions of any special act providing a non-contributory pension or retirement allowance.

Temporary provisions.

Approved March 12, 1937.

AN ACT AUTHORIZING THE PAYMENT OF COMMISSIONS TO CERTAIN EMPLOYEES OF LIFE INSURANCE COMPANIES WITH RESPECT TO CERTAIN POLICIES ISSUED ON THE LIVES OF SUCH EMPLOYEES.

*Chap.*103

Be it enacted, etc., as follows:

Section one hundred and eighty-four of chapter one hundred and seventy-five of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "him" in the tenth line the following:— ; nor shall said sections prohibit a life company from paying to any one of its employees, other than an insurance agent, who has been employed by it for at least one year a commission or commissions, or such employee from receiving a commission or commissions, in respect to so much of the face amount of any policy or policies of insurance on his life at any time outstanding as does not exceed ten thousand dollars, — so as to read as follows:— *Section 184.* The two preceding sections shall apply to all kinds of insurance, including contracts of corporate suretyship, except those specified in subdivisions (a), (b) and (c) of the second clause of section forty-seven. The said sections shall not prohibit any company from paying a commission to another company or to any person who is duly licensed as an insurance agent of such company or as an insurance broker and who holds himself out and carries on business in good faith as such, or prohibit any such person or any company from receiving a commission in respect to any policy under which he or it is insured, or in respect to any annuity or pure endowment contract held by him; nor shall said sections prohibit a life company from paying to any one of its employees, other than an insurance agent, who has been employed by it for at least one year a commission or commissions, or such employee from receiving a commission or commissions, in respect to so much of the face amount of any policy or policies of insurance on his life at any time outstanding as does not exceed ten thousand dollars; nor shall said sections apply to (1) a distribution, without special favor or advantage, by mutual companies to policyholders of savings, earnings or surplus without specification thereof in the policy, or (2) the furnishing to the insured of information or advice by any company, officer, agent or broker with regard to any risk for the purpose of reducing the liability of loss, or (3) the payment or allowance to the insured of a return premium upon the cancellation or surrender of a policy, or of a cash surrender or other value upon the lapse or surrender of a policy of life or endowment insurance or upon the exchange, alteration or conversion of any such policy under section one hundred and thirty-nine.

G. L. (Ter. Ed.), 175, § 184, amended.

Payment of commission to employees of life insurance companies.

Approved March 12, 1937.

Chap. 104 AN ACT AUTHORIZING THE TOWN OF HARVARD TO SUPPLY ITSELF AND ITS INHABITANTS WITH WATER.

Be it enacted, etc., as follows:

SECTION 1. The town of Harvard may supply itself and its inhabitants with water for the extinguishment of fires and for domestic and other purposes; may establish fountains and hydrants, relocate or discontinue the same, and may regulate the use of such water and fix and collect rates to be paid for the use of the same.

SECTION 2. For the purposes aforesaid, said town, acting by and through its board of water commissioners hereinafter provided for, may contract with any other municipality, acting through its water department, or with any water company, or with any water district, for whatever water may be required, authority to furnish the same being hereby granted, and/or may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by lease, purchase, gift, devise or otherwise, and hold, the waters, or any portion thereof, of any pond, brook, spring or stream or of any ground water sources, by means of driven, artesian or other wells or filter galleries, within the limits of said town, not already appropriated for purposes of public water supply, and the water rights connected with any such water sources; and also for said purposes may take by eminent domain under said chapter seventy-nine, or acquire by lease, purchase, gift, devise or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and treating such water and protecting and preserving the purity thereof and for conveying the same to any part of said town; provided, that no source of water supply and no lands necessary for protecting and preserving the purity of the water shall be taken or used without first obtaining the advice and approval of the department of public health, and that the location and arrangement of all dams, reservoirs, wells or filter galleries, filtration and pumping plants or other works necessary in carrying out the provisions of this act shall be subject to the approval of said department; and for said purposes said town may acquire by lease, purchase, gift, bequest or otherwise any appliances, works, tools, machinery and other equipment that may be necessary or expedient in carrying out the provisions of this act. Said town may construct and maintain on the lands acquired and held under this act proper dams, wells, reservoirs, pumping and filtration plants, buildings, standpipes, tanks, fixtures and other structures, including also purification and treatment works, the construction and maintenance of which shall be subject to the approval of said department of public health, and may make excavations, procure and operate machinery, and provide such other means and appliances and do such other things as may be necessary for the establishment and

maintenance of complete and effective water works; and for that purpose may construct, lay and maintain aqueducts, conduits, pipes and other works, under or over any lands, water courses, railroads, railways and public or other ways, and along any such way in said town in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all other proper purposes of this act, said town may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel thereon; provided, that all things done upon any such way shall be subject to the direction of the selectmen of said town. Said town shall not enter upon, construct or lay any conduits, pipes or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation or, in case of failure so to agree, as may be approved by the department of public utilities. Said town may enter upon any lands for the purpose of making surveys, test pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any works or for any other purpose authorized by this act.

SECTION 3. The land, water rights and other property taken or acquired under this act, and all works, buildings and other structures erected or constructed thereunder, shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the town.

SECTION 4. Any person or corporation injured in his or its property by any action of said town or board under this act may recover damages from said town under said chapter seventy-nine; provided, that the right to damages for the taking of any water, water source or water right, or any injury thereto, shall not vest until the water is actually withdrawn or diverted by said town under authority of this act.

SECTION 5. Said town may, for the purpose of paying the necessary expenses and liabilities incurred or to be incurred under the provisions of this act, other than expenses of maintenance and operation, issue from time to time bonds or notes to an amount, not exceeding, in the aggregate, twenty thousand dollars, which shall bear on their face the words, Town of Harvard Water Loan, Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than twenty years from their dates. Indebtedness incurred under this act shall be subject to chapter forty-four of the General Laws.

SECTION 6. Said town shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section five; and when a vote to that effect has been passed, a sum which, with the income derived from the water rates, will be sufficient to

pay the annual expense of operating its water works or the purchasing of water and the maintenance of its pipe lines, as the case may be, and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed by the assessors of said town annually thereafter in the same manner as other taxes, until the debt incurred by the said loan or loans is extinguished.

SECTION 7. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken or held under this act, or injures any structure, work or other property owned, held or used by said town under the authority and for the purposes of this act, shall forfeit and pay to said town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any one of the above wilful or wanton acts shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year.

SECTION 8. Said town shall, after its acceptance of this act, at the same meeting at which the act is accepted, or at a meeting thereafter called for the purpose, and without the necessity, in either case, of a prior caucus for the nomination of candidates, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the next succeeding annual town meeting, to constitute a board of water commissioners; and at the annual town meeting held on the day on which the shortest of such terms expires, and at each annual town meeting thereafter, one such commissioner shall be elected by ballot for the term of three years. All the authority granted to the town by this act, except sections five and six, and not otherwise specially provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as said town may impose by its vote. A majority of said commissioners shall constitute a quorum for the transaction of business. After the election of a board of water commissioners under authority of this section, any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any legal town meeting called for the purpose. Any such vacancy may be filled temporarily in the manner provided by section eleven of chapter forty-one of the General Laws, and the person so appointed shall perform the duties of the office until the next annual meeting of said town or until another person is qualified.

SECTION 9. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated by vote of said town to defray all operating expenses, interest charges and pay-

ments on the principal as they accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as the water commissioners, with the approval of the town, may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. All authority vested in said commissioners by the foregoing provisions of this section and by section three shall be subject to the provisions of section eight. Said commissioners shall annually, and as often as the town may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of the receipts and expenditures.

SECTION 10. This act shall take effect upon its acceptance by a majority of the voters of the town of Harvard present and voting thereon at a town meeting called for the purpose within three years after its passage; but the number of meetings so called in any year shall not exceed three.

Approved March 12, 1937.

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE
COUNTY OF DUKES COUNTY TO ACQUIRE CERTAIN LAND IN
THE TOWN OF GAY HEAD FOR PARK PURPOSES. Chap.105

Be it enacted, etc., as follows:

The county commissioners of the county of Dukes county are hereby authorized to acquire by purchase or otherwise for park purposes a certain parcel of land situated in the town of Gay Head containing one half acre, more or less, being the same parcel described in a deed executed on December second, eighteen hundred and ninety-two, and recorded at the registry of deeds for said county in book eighty-eight at page three hundred and seventy-six, and said county commissioners are hereby authorized to pay for said parcel of land a sum not to exceed three hundred and fifty dollars out of the appropriation for the current year for building county buildings and purchase of land.

Approved March 12, 1937.

AN ACT AUTHORIZING THE CITY OF HAVERHILL TO ERECT
AND MAINTAIN, IN A PART OF MEMORIAL PARK IN SAID
CITY, A BUILDING TO BE USED AS A PUMPING STATION. Chap.106

Be it enacted, etc., as follows:

The city of Haverhill may erect and thereafter maintain a building, to be used as a pumping station, on such portion of a certain parcel of land situated on the southerly side of Washington square in said city, known as Memorial Park, and now used by said city for park purposes under the jurisdiction of the park commission of said city, as may

be designated by the municipal council of said city; and said city may use, for such purpose, so much of said Memorial Park as may be reasonably necessary for the use and maintenance of such building and its appurtenances and for a proper right of way thereto. *Approved March 12, 1937.*

Chap. 107 AN ACT AUTHORIZING CITIES, TOWNS AND DISTRICTS TO BORROW ON ACCOUNT OF PUBLIC WELFARE, SOLDIERS' BENEFITS AND FEDERAL EMERGENCY UNEMPLOYMENT RELIEF PROJECTS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Subject to the provisions of this act, any city, town or district, by a two thirds vote as defined in section one of chapter forty-four of the General Laws, and with the approval of the mayor, selectmen, or prudential committee or commissioners, and of the board established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, may borrow, during the year nineteen hundred and thirty-seven, outside its debt limit as fixed by sections eight and ten of said chapter forty-four, for use only for meeting appropriations made or to be made for public welfare, including aid to dependent children and old age assistance, soldiers' benefits including state aid, military aid, soldiers' burials and soldiers' relief, and for any federal emergency unemployment relief projects, exclusive of public works administration projects, to an amount not more than one half of one per cent of the average of the assessors' valuations of its taxable property for the three preceding years, such valuations to be reduced and otherwise determined as provided in section ten of said chapter forty-four, and may issue bonds or notes therefor, which shall bear on their face the words, (name of city, town or district) Municipal Relief Loan, Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates and, except as herein provided, shall be subject to said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof.

Loans may be issued hereunder only by such cities, towns and districts as in the current year have appropriated to be raised by taxation or appropriated from available revenue funds for the purposes enumerated in the preceding paragraph, an amount not less than seventy per cent of the aggregate expenditures for the year nineteen hundred and thirty-six for public welfare, including aid to dependent children and old age assistance, soldiers' benefits including state aid, military aid, soldiers' burials and soldiers' relief, exclud-

ing any federal emergency unemployment relief projects, as determined by the board.

SECTION 2. The members of the board aforesaid, when acting under this act, shall receive from the commonwealth compensation to the same extent as provided for services under chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three, as amended.

SECTION 3. Loan orders passed in any city under authority of this act shall be deemed to be emergency orders and as such may be passed in such manner as is provided for emergency orders in its charter. *Approved March 16, 1937.*

AN ACT RELATING TO THE DISTRIBUTION OF CERTAIN CORPORATION TAXES AND TO THE APPEARANCE OF THE COMMISSIONER OF CORPORATIONS AND TAXATION BEFORE COURTS.

Chap. 108

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Section twenty of chapter fifty-eight of the General Laws, as most recently amended by section three of chapter three hundred and sixty-two of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out in the twelfth and thirteenth lines, the words "One million, two hundred and ninety thousand, three hundred and eighty-three dollars and fifty-six" and inserting in place thereof the words: — One million, eight hundred and one thousand, two hundred and fifty-eight dollars and thirty-eight, — by striking out in the fifteenth and sixteenth lines, the words "Five million, six hundred and fifty-nine thousand, one hundred and sixty-eight dollars and forty-six" and inserting in place thereof the words: — Six million, three hundred and fifty-one thousand, four hundred and fifteen dollars and thirty-four, — by striking out, in the twenty-eighth and twenty-ninth lines, the words "Two million, three hundred and seventy-seven thousand, nine hundred and seventy-seven dollars and ninety" and inserting in place thereof the words: — Two million, six hundred and fifty-four thousand, eight hundred and seventy-six dollars and fifty-four, — by striking out, in the thirty-eighth line, the word "Any" and by inserting in place thereof the words: — Five sixths of any, — and by inserting after the word "them" in the fortieth line the words: — , and one sixth shall be retained by the commonwealth, — so as to read as follows: — *Section 20.* From the total taxes paid in any state fiscal year by domestic business and domestic manufacturing corporations and foreign manufacturing and other foreign corporations under sections thirty to fifty-one, inclusive, of chapter sixty-three there shall be deducted such taxes paid under said sections as have been

G. L. (Ter. Ed.), 58, § 20, etc., amended.

Distribution of business corporation taxes.

refunded under said chapter or section twenty-seven of this chapter during said year, together with any interest or costs paid such corporations on account of refunds. The balance shall be disposed of in the following manner and in the order named:

(1) One million, eight hundred and one thousand, two hundred and fifty-eight dollars and thirty-eight cents shall be retained by the commonwealth;

(2) Six million, three hundred and fifty-one thousand, four hundred and fifteen dollars and thirty-four cents shall be distributed, credited and paid to the several cities and towns in the proportion that the amount of taxes locally paid in each city or town in the year nineteen hundred and thirty-five by domestic manufacturing corporations as defined in section thirty-eight C of said chapter sixty-three and by foreign manufacturing corporations as defined in section forty-two B of said chapter sixty-three upon machinery owned and used in the conduct of the business bears to the aggregate amount so paid by such corporations in all cities and towns of the commonwealth as determined by the commissioner;

(3) Two million, six hundred and fifty-four thousand, eight hundred and seventy-six dollars and fifty-four cents shall be distributed, credited and paid to the several cities and towns in the proportion that the value of machinery owned and used in the conduct of the business in the year nineteen hundred and thirty-five by such domestic manufacturing and foreign manufacturing corporations in each city or town bears to the aggregate value of such machinery in all cities and towns of the commonwealth as determined by the commissioner;

(4) Five sixths of any sum then remaining shall be distributed to the several cities and towns in proportion to the amounts of the last preceding state tax imposed upon them, and one sixth shall be retained by the commonwealth.

City and town assessors shall make such returns and supply such information as the commissioner shall reasonably require to make the determinations provided by this section.

G. L. (Ter. Ed.), 58, § 1, etc., amended.

Commissioner may appear in tax cases.

Temporary provisions.

SECTION 2. Section one of said chapter fifty-eight, as amended by section nine of chapter one hundred and eighty of the acts of nineteen hundred and thirty-two, is hereby further amended by striking out the sentence amended by said section nine and inserting in place thereof the following: — He may appear before any court or before any board of county commissioners sitting for the abatement of taxes, or before the board of tax appeals.

SECTION 3. From the total taxes paid in the fiscal year ending on November thirtieth, nineteen hundred and thirty-seven, by domestic business and domestic manufacturing corporations and foreign manufacturing and other foreign corporations under sections thirty to fifty-one, inclusive, of chapter sixty-three of the General Laws, there shall, in

the year nineteen hundred and thirty-seven, be distributed, credited and paid to those cities and towns which made abatements of taxes assessed in the year nineteen hundred and thirty-six upon machinery made exempt from local taxation by chapter three hundred and sixty-two of the acts of nineteen hundred and thirty-six to an amount in excess of the reimbursement provided for such year by clause (2) of section twenty of chapter fifty-eight of the General Laws, as amended by section three of said chapter three hundred and sixty-two, the sum of six hundred and ninety-three thousand, two hundred and sixty dollars and sixty-five cents; said sum to be distributed, credited and paid to each city or town in the proportion that the amount of such excess in such city or town bears to the aggregate amount of such excesses in all such cities and towns. The foregoing distribution shall be made notwithstanding the provisions of section twenty of said chapter fifty-eight as most recently amended by section one of this act. *Approved March 16, 1937.*

AN ACT AUTHORIZING THE TOWN OF SCITUATE TO ACQUIRE
A PARCEL OF LAND ADJOINING PEGGOTY BEACH IN SAID
TOWN AND TO IMPROVE AND MAINTAIN THE SAME FOR
RECREATIONAL AND VEHICLE PARKING PURPOSES AND
VALIDATING ACTION AT THE CURRENT TOWN MEETING IN
CONNECTION THEREWITH. Chap.109

Be it enacted, etc., as follows:

SECTION 1. The town of Scituate is hereby authorized to acquire by purchase, or take by eminent domain under the provisions of chapter seventy-nine of the General Laws, a parcel of land adjoining Peggoty beach in said town for recreational and vehicle parking purposes and to improve and maintain the land so acquired for the public use of the inhabitants of said town under the direction of the selectmen.

SECTION 2. The action of the inhabitants of the town of Scituate, at its annual town meeting in the current year, in voting to appropriate twenty thousand dollars to provide money for the purposes set forth in section one of this act is hereby ratified and confirmed and shall have the same effect and validity as if said section one had been in effect prior to said vote.

SECTION 3. This act shall take effect upon its passage.

Approved March 19, 1937.

AN ACT AUTHORIZING THE TOWN OF ROCKPORT TO CONVEY
TO THOMAS TERTIUS NOBLE A PORTION OF OLD GARDEN
BEACH LANDING, SO CALLED, IN SAID TOWN. Chap.110

Be it enacted, etc., as follows:

SECTION 1. The town of Rockport is hereby authorized, in accordance with a vote of said town passed at a town meeting held on March second in the year nineteen hundred

and thirty-six, to convey to Thomas Tertius Noble of the city and state of New York, a summer resident of said town, such portion or portions of Old Garden Beach Landing, so called, in said town as may be determined by the board of selectmen of said town to be included within the description of the property conveyed to said Noble, under the name of T. Tertius Noble, by either or both of two deeds of George W. Harvey, as trustee or otherwise, to said Noble, one deed being dated May twenty-fourth, nineteen hundred and twenty-nine, and recorded with Essex south district registry of deeds in book twenty-eight hundred and six at page two hundred and forty, and the other deed being dated September twenty-seventh, nineteen hundred and twenty-nine, and being recorded with said registry in book twenty-eight hundred and thirty-three at page two hundred and fifteen, the entire property having since been used and occupied by said Noble.

SECTION 2. This act shall take effect upon its passage.
Approved March 19, 1937.

Chap.111 AN ACT RELATIVE TO THE CHARGING OF ADMISSION FEES BY THE CITY OF BOSTON IN CONNECTION WITH DEMONSTRATIONS, LECTURES, CONTESTS AND EXHIBITIONS AT WORKS CONSTRUCTED UNDER THE WILL OF GEORGE ROBERT WHITE.

Be it enacted, etc., as follows:

SECTION 1. Upon the construction or erection and establishment by the city of Boston, acting by and through the board of trustees of the George Robert White Fund and under and in accordance with the provisions of article fourteenth of the will of said George Robert White, of any work of public utility and beauty for the use and enjoyment of the inhabitants of said city, said city, acting by and through the head of the department in whose charge and control the same shall be placed, if permissible under the provisions of said will, may, in connection with any demonstration, lecture, athletic contest or athletic or other exhibition therein, charge a fee for admission thereto; provided, that the aggregate amount of such fees charged at any such work in any fiscal year shall not exceed the expense of the care and maintenance thereof during such year. Such fees shall be applied by said city only toward meeting the expense of said care and maintenance.

SECTION 2. This act shall take effect upon its passage.
Approved March 19, 1937.

Chap.112 AN ACT RELATIVE TO CONDITIONAL SALES OF ELEVATOR APPARATUS OR MACHINERY.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 184, § 13,
amended.

Section thirteen of chapter one hundred and eighty-four of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word

“buildings” in the third line the following: —, elevator apparatus or machinery, — so as to read as follows: — *Section 13.* No conditional sale of heating apparatus, plumbing goods, ranges, buildings of wood or metal construction of the class commonly known as portable or sectional buildings, elevator apparatus or machinery, or other articles of personal property, which are afterward wrought into or attached to real estate, whether they are fixtures at common law or not, shall be valid as against any mortgagee, purchaser or grantee of such real estate, unless not later than ten days after the delivery thereon of such personal property a notice such as is herein prescribed is recorded in the registry of deeds for the county or district where the real estate lies. The notice shall be signed by the vendor or a person claiming under him and shall contain the names of the contracting parties, the name of the record owner of the real estate at the time of recording the notice, the fact that it is agreed that title to such personal property shall remain in the vendor until the purchase price is paid, the terms of payment and the amount of such purchase price remaining unpaid, and descriptions, sufficiently accurate for identification, of such real estate and the personal property delivered or to be delivered thereon. If the sale is of several articles for a lump sum greater than the value of the personal property delivered or to be delivered on the real estate, the notice shall also state such lump sum and such value. The notice shall be indexed under the name of such record owner, and a release of title in any such article of personal property may be recorded at any time.

Conditional sales, recording, etc.

Approved March 19, 1937.

AN ACT PROVIDING THAT CERTAIN PERSONS RECEIVING RELIEF FROM TOWNS MAY BE REQUIRED TO WORK IN RETURN THEREFOR.

Chap. 113

Be it enacted, etc., as follows:

Chapter one hundred and seventeen of the General Laws is hereby amended by striking out section fourteen, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 14.* Boards of public welfare in their respective towns shall provide for the immediate comfort and relief of all persons residing or found therein, having lawful settlements in other towns, in distress and standing in need of immediate relief, until removed to the towns of their lawful settlements. Any such board may require persons receiving such relief to work in return therefor in the infirmary, or in such other manner as the town directs, or otherwise at the discretion of the board. The expense of such relief and of their removal, or burial in case of their decease, may be recovered in contract against the town liable therefor, if commenced within two years after the cause of action arises; but nothing shall be recovered for relief furnished more than three months prior to notice thereof given to the defendant.

G. L. (Ter. Ed.), 117, § 14, amended.

Boards of public welfare may require certain persons receiving relief to work.

Approved March 19, 1937.

Chap.114 AN ACT RELATIVE TO THE ASSESSMENT OF REAL ESTATE OF
DECEASED PERSONS IN CERTAIN CASES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 59, § 16,
amended.

Taxation of
real estate of
decendent,
liability of
heirs, etc.

Section sixteen of chapter fifty-nine of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the third and fourth lines, the words "they have given notice to the assessors of the division of the estate and of the names of the several heirs or devisees" and inserting in place thereof the words:— the names of such heirs or devisees appear in the probate court records in the county in which said real estate lies, — so as to read as follows:— *Section 16.* The undivided real estate of a deceased person may be assessed to his heirs or devisees, without designating any of them by name, until the names of such heirs or devisees appear in the probate court records in the county in which said real estate lies; and each heir or devisee shall be liable for the whole of such tax, and when paid by him he may recover of the other heirs or devisees their respective proportions thereof.

Approved March 19, 1937.

Chap.115 AN ACT RELATIVE TO THE ESTABLISHMENT OF SALARIES FOR
THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF
SPRINGFIELD.

Be it enacted, etc., as follows:

SECTION 1. The city council of the city of Springfield may, by a two thirds vote of all its members taken by yeas and nays, establish a salary for its members not exceeding five hundred dollars each. Such salary may be reduced, but no increase therein shall be made to take effect during the year in which the increase is voted.

SECTION 2. Such provisions of chapter ninety-four of the acts of eighteen hundred and fifty-two, and acts in amendment thereof and in addition thereto, as are inconsistent with this act are hereby repealed.

SECTION 3. This act shall be submitted to the registered voters of said city at the regular municipal election in the current year in the form of the following question which shall be placed upon the official ballot to be used at said election:— "Shall an Act passed by the General Court in the year nineteen hundred and thirty-seven, entitled 'An Act relative to the Establishment of Salaries for the Members of the City Council of the City of Springfield', be accepted?" If a majority of the voters voting thereon votes in the affirmative in answer to said question, this act shall thereupon take full effect, but not otherwise.

Approved March 19, 1937.

AN ACT RELATIVE TO THE TAKING OF TROUT FROM MILLER'S *Chap.116*
RIVER AND ITS DIVERTED WATERS.

Be it enacted, etc., as follows:

Section fifty-seven of chapter one hundred and thirty-one of the General Laws, as most recently amended by section one of chapter four hundred and twenty-five of the acts of nineteen hundred and thirty-six, is hereby further amended by inserting after the word "Pittsfield" in the eleventh line the following: — , or between August thirty-first and May fifteenth following, if taken from Miller's river or its diverted waters within the commonwealth, — and by inserting after the word "Pittsfield" in the sixteenth line the following: — or from Miller's river or its diverted waters within the commonwealth, — so as to read as follows: — *Section 57.* Except as provided in section fifty-one, no person shall take or have in possession trout between July thirty-first in any year and April fifteenth of the year following, or between July fifteenth in any year and April first of the year following, if taken from the waters of Dukes county, or between September first and May twenty-ninth of the year following, if taken from the Deerfield river or its diverted waters within the commonwealth, or between the first Monday in September in any year and May thirtieth of the year following, if taken from the waters of Onota lake in the city of Pittsfield, or between August thirty-first and May fifteenth following, if taken from Miller's river or its diverted waters within the commonwealth, nor shall any person have in possession at any time a trout less than six inches in length, or trout less than twelve inches in length if taken from the Deerfield river or its diverted waters within the commonwealth, or a trout less than nine inches in length if taken from the waters of Onota lake in the city of Pittsfield or from Miller's river or its diverted waters within the commonwealth, unless taken by a person lawfully fishing and immediately returned alive to the water whence it was taken.

Approved March 19, 1937.

G. L. (Ter.
Ed.), 131, § 57,
etc., amended.

Possession of
trout regulated

AN ACT RELATIVE TO THE REVOCATION OF LICENSES TO *Chap.117*
OPERATE MOTOR VEHICLES ON CONVICTION OF OPERATING
NEGLIGENTLY SO THAT THE LIVES OR SAFETY OF THE
PUBLIC MIGHT BE ENDANGERED.

Be it enacted, etc., as follows:

Paragraph (2) (c) of section twenty-four of chapter ninety of the General Laws, as most recently amended by section one of chapter four hundred and thirty-four of the acts of nineteen hundred and thirty-six, is hereby further amended by adding at the end the following: — But the registrar, after investigation, may at any time rescind the revocation of a license revoked because of a conviction of operating a

G. L. (Ter.
Ed.), 90, § 24,
etc., amended.

motor vehicle upon any way or in any place to which the public has a right of access negligently so that the lives or safety of the public might be endangered, — so as to read as follows: —

Revocation of
licenses to
operate motor
vehicles.

(c) The registrar, after having revoked the license of any person under the preceding paragraph of this section, in his discretion may issue a new license to him, if the prosecution of such person in the superior court has terminated in favor of the defendant, or, after an investigation or upon hearing, may issue a new license to a person convicted in any court of the violation of any provision of paragraph (2) (a) of this section; provided, that no new license shall be issued by the registrar to any person convicted of going away without stopping and making known his name, residence and the register number of his motor vehicle after having, while operating such vehicle upon any way or in any place to which the public has a right of access, knowingly collided with or otherwise caused injury to any person until one year after the date of his original conviction if for a first offence or two years after the date of any subsequent conviction, or to any person convicted of violating any other provision of paragraph (2) (a) of this section, until sixty days after the date of his original conviction if for a first offence or one year after the date of any subsequent conviction. But the registrar, after investigation, may at any time rescind the revocation of a license revoked because of a conviction of operating a motor vehicle upon any way or in any place to which the public has a right of access negligently so that the lives or safety of the public might be endangered.

Approved March 19, 1937.

Chap. 118 AN ACT RELATIVE TO PAYMENT OF COMPENSATION OF GUARDIANS AD LITEM APPOINTED BY THE LAND COURT ON PETITIONS FOR REGISTRATION OF TITLE TO LAND.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 185, § 40,
amended.

Guardian
ad litem.

Section forty of chapter one hundred and eighty-five of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the sixth and seventh lines, the words "part of the expenses of the court" and inserting in place thereof the words: — it may direct, — so as to read as follows: — *Section 40.* Upon the return of the notice, and upon proof of service of all orders of notice issued, the court may appoint a disinterested person to act as guardian ad litem for minors, and for persons under disability, and for all persons not in being, unascertained, unknown or out of the commonwealth, who may have an interest. The compensation of the guardian shall be determined by the court and paid as it may direct.

Approved March 19, 1937.

AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO CON-
STRUCT FLOOD PROTECTION WORKS ALONG THE CONNECTI-
CUT RIVER. Chap. 119

Be it enacted, etc., as follows:

SECTION 1. The city of Springfield, for the purpose of protecting highways and public and private property from damage by freshet or any flow of the Connecticut river, may, by its city council, from time to time, construct dikes or other works on the easterly bank and easterly of the harbor line of the Connecticut river within the limits of said city, and, by its city council, may divert the water or alter the course of the watercourse known as Mill river, a tributary of said Connecticut river, and may construct tunnels to conduct the waters of said Mill river from such point westerly of Fort Pleasant avenue as said city council may determine to be reasonably necessary to prevent any freshet or flow of water of said Connecticut river escaping through the channels of said Mill river to the areas to be protected. Said flood protection works may be constructed in conjunction with the Connecticut river flood protection projects of the United States of America. The provisions of sections thirteen and twenty of chapter ninety-one of the General Laws shall apply to the projects herein authorized.

SECTION 2. For any or all of the projects authorized by section one, said city may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, lands, easements, rights of way, water rights or other property, on the easterly side of said Connecticut river or on one or both sides of said Mill river, or may in like manner take or otherwise acquire lands, easements, rights of way, water rights and other property to form a new channel for said Mill river, and may enter into and upon any land or way, and may do thereon work necessary for any such improvement; and any person who is injured in his property by any act of said city under any provision of this act may recover from said city damages therefor under said chapter seventy-nine.

SECTION 3. For the purpose of meeting appropriations for any or all of the projects authorized by said section one, the city of Springfield may use the proceeds of loans issued under authority of clause (7) of section seven of chapter forty-four of the General Laws.

SECTION 4. If any limited and determinable area within said city receives benefit other than the general advantage to the community from any improvement made under authority of this act, under an order declaring the same to be done under the provisions of law authorizing the assessment of betterments, the city council of said city shall, within two years after the completion of such improvement, determine the value of such benefit or advantage to the lands within such area, and assess upon each parcel thereof a pro-

portionate share of the cost of such improvement, including therein all costs for the purchase and all damages for the taking of lands, easements, rights of way, water rights and other property in order to carry out such improvement, and all other sums expended under authority of this act, but not exceeding one half of such adjudged benefit or advantage. The provisions of chapter eighty of the General Laws shall apply to such assessments and the collection thereof, except as otherwise herein provided. *Approved March 19, 1937.*

Chap. 120 AN ACT RE-ESTABLISHING A CERTAIN HARBOR LINE IN WEY-
MOUTH FORE RIVER IN QUINCY AND BRAINTREE.

Be it enacted, etc., as follows:

SECTION 1. The harbor line on the westerly side of Weymouth Fore river above Quincy Point bridge, as established by section one of chapter one hundred and four of the acts of nineteen hundred and twenty, is hereby changed so as to run as follows: — Beginning at a point on the southerly side of the old Quincy Point bridge, so called, as located in nineteen hundred and twenty, in latitude forty-two degrees, fourteen minutes, forty-one and seven tenths seconds north, and longitude seventy degrees, fifty-eight minutes, seven and three tenths seconds west; thence south thirteen degrees, thirty-four minutes, thirty-five seconds west, true bearing, two hundred eight and twenty-eight one hundredths feet to a point near the southeasterly corner of the wharf of the heirs of Cyrus Patch, in latitude forty-two degrees, fourteen minutes, thirty-nine and seven tenths seconds north, and longitude seventy degrees, fifty-eight minutes, seven and ninety-five one hundredths seconds west; thence south nineteen degrees, twenty-nine minutes, fourteen seconds west, true bearing, one thousand five hundred thirty-three feet to a point in latitude forty-two degrees, fourteen minutes, twenty-five and forty-two one hundredths seconds north and longitude seventy degrees, fifty-eight minutes, fourteen and seventy-five one hundredths seconds west; thence turning southerly and easterly by the arc of a circle of one thousand feet radius one thousand two hundred ninety and six one hundredths feet to a point in latitude forty-two degrees, fourteen minutes, fourteen and nine one hundredths seconds north and longitude seventy degrees, fifty-eight minutes, nine and ninety-five one hundredths seconds west; thence south fifty-four degrees, twenty-five minutes, thirty-six seconds east, true bearing, seven hundred eighty-seven and six one hundredths feet to a point in latitude forty-two degrees, fourteen minutes, nine and fifty-seven one hundredths seconds north and longitude seventy degrees, fifty-eight minutes, one and forty-four one hundredths seconds west; thence south eighty-two degrees, thirteen minutes, fifty-five seconds east, true bearing, one thousand one hundred and forty-three one hundredths feet

to a point in latitude forty-two degrees, fourteen minutes, eight and one tenth seconds north, and longitude seventy degrees, fifty-seven minutes, forty-six and ninety-five one hundredths seconds west; thence curving southerly by the arc of a circle of four hundred feet radius, five hundred forty-six and fifty-five one hundredths feet, to a point in latitude forty-two degrees, fourteen minutes, four and forty-six one hundredths seconds north and longitude seventy degrees, fifty-seven minutes, forty-two and thirty-six one hundredths seconds west; thence south three degrees, fifty-six minutes, thirty-three seconds east, true bearing, seven hundred fifty-six and forty-two one hundredths feet to a point in latitude forty-two degrees, thirteen minutes, fifty-seven and one one hundredths seconds north and longitude seventy degrees, fifty-seven minutes, forty-one and sixty-seven one hundredths seconds west; thence southerly and westerly by the arc of a circle of four hundred feet radius, three hundred seventy-six and sixteen one hundredths feet to a point in latitude forty-two degrees, thirteen minutes, fifty-three and seventy-one one hundredths seconds north and longitude seventy degrees, fifty-seven minutes, forty-three and fifty-five one hundredths seconds west; thence south forty-nine degrees, fifty-six minutes, seventeen seconds west, true bearing, two hundred seventy-five and sixteen one hundredths feet to a point in latitude forty-two degrees, thirteen minutes, fifty-one and ninety-six one hundredths seconds north and longitude seventy degrees, fifty-seven minutes, forty-six and thirty-five one hundredths seconds west, said point being located at the southerly corner of a stone wharf.

The bearings and geographical positions used in the foregoing description are based on the elements of Clark's spheroid and the astronomical data adopted by the United States Coast and Geodetic Survey in the year eighteen hundred and eighty.

SECTION 2. The harbor line on the Quincy and Braintree side of said river, as established by said section one of said chapter one hundred and four, is hereby abolished.

SECTION 3. This act shall take effect upon its passage.

Approved March 23, 1937.

AN ACT PROHIBITING, DURING CERTAIN MONTHS OF THE YEAR, THE TAKING OF EDIBLE CRABS FROM THE WATERS WITHIN THE JURISDICTION OF THE COMMONWEALTH. Chap. 121

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

Chapter one hundred and thirty of the General Laws is hereby amended by inserting after section forty-one, as G. L. (Ter. Ed.), 130, new section 41A, added.

Possession of
edible crabs
regulated.

appearing in section two of chapter three hundred and twenty-nine of the acts of nineteen hundred and thirty-three, the following new section:— *Section 41A.* No person, either as principal, agent or employee, shall, between January first and March thirty-first, both dates inclusive, in any year, take or catch edible crabs, by the use of traps or otherwise, from any waters within the jurisdiction of the commonwealth. Violation of this section shall be punished by a fine of not less than twenty-five nor more than fifty dollars.

Approved March 23, 1937.

Chap.122 AN ACT RELATING TO THE LICENSING BY THE POLICE COMMISSIONER FOR THE CITY OF BOSTON OF CERTAIN MOTOR VEHICLES TRANSPORTING PROPERTY FOR HIRE.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 159B,
§ 13, etc.,
amended.

Section thirteen of chapter one hundred and fifty-nine B of the General Laws, as appearing in section one of chapter two hundred and sixty-four of the acts of nineteen hundred and thirty-four, is hereby amended by adding at the end the following:— No person holding a certificate or a permit issued under the provisions of this chapter and authorizing the transportation of property for hire by motor vehicle within the city of Boston shall be required to obtain a license from the police commissioner for said city on account of such transportation or the use of motor vehicles therein,— so as to read as follows:— *Section 13.* Nothing contained in this chapter shall lessen or affect the authority or powers of the department of public works or of the registrar of motor vehicles under chapter ninety. No person holding a certificate or a permit issued under the provisions of this chapter and authorizing the transportation of property for hire by motor vehicle within the city of Boston shall be required to obtain a license from the police commissioner for said city on account of such transportation or the use of motor vehicles therein.

Approved March 23, 1937.

Powers of
certain public
officers rela-
tive to licens-
ing motor vehicles.

Chap.123 AN ACT ESTABLISHING A CLOSE SEASON FOR FISH WITH RESPECT TO WHICH NO CLOSE SEASON IS OTHERWISE ESTABLISHED BY LAW.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 131, new
section 49A,
added.

General close
season for fish.

Chapter one hundred and thirty-one of the General Laws is hereby amended by inserting after section forty-nine, as amended, the following new section:— *Section 49A.* No person, except as otherwise permitted by law, shall between March first and April fourteenth, both dates inclusive, fish in any inland waters of the commonwealth for any particular species of fish with respect to which no close season is otherwise established by law. The possession by any person in or upon inland waters or upon the banks of the same between

the above dates of any net, trap, trawl or other device adapted for fishing for such species of fish shall be prima facie evidence of a violation of this section.

Approved March 23, 1937.

AN ACT RELATIVE TO THE GRANTING AND TAKING EFFECT OF
LICENSES TO KEEP CERTAIN PLACES OF BUSINESS OPEN ON
THE LORD'S DAY. Chap.124

Be it enacted, etc., as follows:

Section eight of chapter one hundred and thirty-six of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the second sentence and inserting in place thereof the following:— Such licenses shall expire on April thirtieth of each year; but they may be granted during April, to take effect on May first following, — so as to read as follows:— *Section 8.* Every license granted under the preceding section shall specify the street or place and the number, if any, or if there is no number, the location of the place of business in which the license is to be exercised, and the license shall not be valid in any other place. Such licenses shall expire on April thirtieth of each year; but they may be granted during April, to take effect on May first following. The fee for such license shall not be more than five dollars a year, and it may be suspended or revoked by the officer or board granting the same.

G. L. (Ter.
Ed.), 136, § 8,
amended.

Provisions
of licenses.
Fee, expira-
tion of.

Approved March 23, 1937.

AN ACT EXTENDING THE LIABILITY OF NEEDY PERSONS AND
THEIR ESTATES TO TOWNS FURNISHING THEM SUPPORT, SO
AS TO INCLUDE TOWNS OTHER THAN THE TOWN OF SETTLE-
MENT. Chap.125

Be it enacted, etc., as follows:

Section five of chapter one hundred and seventeen of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the second line, the words "the town where he has a settlement" and inserting in place thereof the words:— any town, — so as to read as follows:— *Section 5.* A person, his executor or administrator, shall be liable in contract to any town for expenses incurred by it for his support.

G. L. (Ter.
Ed.), 117, § 5,
amended.

Liability
for support.

Approved March 23, 1937.

AN ACT AUTHORIZING THE ISABELLA STEWART GARDNER
MUSEUM, INCORPORATED, TO HOLD ADDITIONAL REAL AND
PERSONAL ESTATE. Chap.126

Be it enacted, etc., as follows:

The Isabella Stewart Gardner Museum, Incorporated, a charitable institution organized under the general laws relating to charitable corporations to carry out the chari-

table provisions contained in the will of Isabella Stewart Gardner, may hold real and personal estate to an amount not exceeding twelve million dollars notwithstanding the limitation provided by section nine of chapter one hundred and eighty of the General Laws, which estate shall be devoted to the purposes of said institution as provided in said section nine.

Approved March 23, 1937.

Chap.127 AN ACT RELOCATING CERTAIN HARBOR LINES IN NEW BEDFORD HARBOR.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section one of chapter eighty of the acts of nineteen hundred and twenty-nine is hereby amended by striking out, in the eighty-second to the ninety-third lines, inclusive, the words "four hundred eighty and fifty-seven one hundredths feet to point T in latitude four thousand five hundred thirty-eight and ninety-three one hundredths feet north and longitude five thousand twenty and six one hundredths feet west, said point T being located south nineteen degrees, fourteen minutes, fifty-three seconds east, true bearing, one hundred sixty-seven and eighty-two one hundredths feet from Mark 15 near the southeasterly corner of the Union street railway wharf in New Bedford; thence south fifty-six degrees, nineteen minutes, twenty-six seconds east, true bearing, eight hundred twenty-two and sixty-four one hundredths feet" and inserting in place thereof the following:— three hundred fifteen and ten one hundredths feet to point T1, in latitude four thousand seven hundred two and seven one hundredths feet north and longitude five thousand forty-seven and seventy-five one hundredths feet west, said point T1 being located north eighty degrees, twenty minutes, forty-six seconds, east, true bearing, twenty-eight and three one hundredths feet from Mark 15 near the southeasterly corner of Union street railway wharf in New Bedford; thence south forty-eight degrees, fifty-nine minutes, forty-one seconds east, true bearing, nine hundred forty-three and eighty-six one hundredths feet, — so as to read as follows:— Beginning at point L in latitude sixteen thousand four hundred twenty-eight and sixteen one hundredths feet north and longitude four thousand five hundred thirty-four and seven one hundredths feet west, said point L being the most northerly point of the harbor line hereby established on the westerly side of Acushnet river, being located north four degrees, twenty-one minutes, fifty-five seconds east, true bearing, three hundred sixty-three and fifty-eight one hundredths feet from Mark 10 on the Manomet mill property; thence south five degrees, twenty minutes, thirty-three seconds east, true bearing, three thousand seven hundred fifteen and three tenths feet to point M in latitude twelve thousand seven hundred twenty-nine feet north and longitude four

thousand one hundred eighty-eight and fourteen one hundredths feet west, said point M being located north seventy-six degrees, forty-two minutes, fifty-seven seconds east, true bearing, one thousand seven hundred thirteen and forty-seven one hundredths feet from a stone monument at the southeasterly corner of Belleville avenue and Sawyer street in New Bedford; thence south thirty-four minutes, two seconds west, true bearing, one thousand one hundred forty-four and eighty-eight one hundredths feet to point N in latitude eleven thousand five hundred eighty-four and seventeen one hundredths feet north and longitude four thousand one hundred ninety-nine and forty-eight one hundredths feet west, said point N being located south two degrees, thirty-two minutes, forty-nine seconds east, true bearing, fifty-nine and forty-eight one hundredths feet from Mark 11 on the Coggeshall street bridge near the New Bedford end; thence south twenty-seven degrees, thirteen minutes, eight seconds west, true bearing, one thousand one hundred two and seven one hundredths feet to point O in latitude ten thousand six hundred four and fifteen one hundredths feet north and longitude four thousand seven hundred three and fifty-five one hundredths feet west, said point O being located south twenty degrees, fifty-one minutes, sixteen seconds east, true bearing, two hundred eighty-five and seven one hundredths feet from Mark 12 at the easterly end of Washburn street in New Bedford; thence south twelve degrees, thirty-eight minutes, twenty seconds west, true bearing, one thousand five hundred fifty-four and ninety-seven one hundredths feet to point P in latitude nine thousand eighty-six and eighty-six one hundredths feet north and longitude five thousand forty-three and seventy-nine one hundredths feet west, said point P being located north eighty-two degrees, forty-one minutes, thirty seconds east, true bearing, three hundred thirteen and eight one hundredths feet from Mark 13 near the southeasterly corner of Wamsutta wharf in New Bedford; thence south three degrees, forty-six minutes, fifty seconds west, true bearing, three thousand ninety-nine and thirty-eight one hundredths feet to point Q in latitude five thousand nine hundred ninety-four and twenty-three one hundredths feet north and longitude five thousand two hundred forty-eight and fifteen one hundredths feet west, said point Q being located north seventy-five degrees, twenty minutes, thirty seconds east, true bearing, six hundred twenty-six and forty-six one hundredths feet from a stone monument, at the intersection of the southerly line of Hillman street, extended easterly, and the westerly line of North Water street extended northerly, in New Bedford; thence south three degrees, fifteen minutes, forty-four seconds east, true bearing, five hundred forty-seven and seventy-three one hundredths feet to point R in latitude five thousand four hundred forty-seven and thirty-eight one hundredths feet north and longitude five thousand two hundred sixteen and ninety-eight one hun-

dredths feet west, said point R being located south eighty-one degrees, fifty-eight minutes, twenty seconds east, true bearing, six hundred two and thirteen one hundredths feet from a stone monument at the southwest corner of North street and North Water street in New Bedford; thence south fifteen degrees, twenty-one seconds east, true bearing, four hundred fifty feet to point S in latitude five thousand twelve and seventy-three one hundredths feet north and longitude five thousand one hundred and forty-seven one hundredths feet west, said point S being located north seventy-seven degrees, twenty-eight minutes, twenty-one seconds east, true bearing, fifteen and forty-four one hundredths feet from Mark 14 on the southerly side of the New Bedford and Fairhaven bridge near the New Bedford end; thence south, nine degrees, thirty-seven minutes, fifty-six seconds east, true bearing, three hundred fifteen and ten one hundredths feet to point T1, in latitude four thousand seven hundred two and seven one hundredths feet north and longitude five thousand forty-seven and seventy-five one hundredths feet west, said point T1 being located north eighty degrees, twenty minutes, forty-six seconds, east, true bearing, twenty-eight and three one hundredths feet from Mark 15 near the southeasterly corner of Union street railway wharf in New Bedford; thence south forty-eight degrees, fifty-nine minutes, forty-one seconds east, true bearing, nine hundred forty-three and eighty-six one hundredths feet to point U in latitude four thousand eighty-two and seventy-eight one hundredths feet north and longitude four thousand three hundred thirty-five and forty-seven one hundredths feet west, said point U being located south sixty-nine degrees, forty-four minutes, twenty-four seconds east, true bearing, seventy-seven and seventy-two one hundredths feet from Mark 16 near the northwesterly corner of the state pier in New Bedford; thence south fourteen degrees, three minutes, ten seconds east, true bearing, six thousand five hundred ninety-three feet to point V in latitude two thousand three hundred twelve and ninety-one one hundredths feet south and longitude two thousand seven hundred thirty-four and fifty-nine one hundredths feet west, said point V being located north forty-two degrees, fourteen minutes, thirty-one seconds east, true bearing, two hundred fifty-one and sixty-one one hundredths feet from Mark 17 on the easterly end of the Cove street storm sewer, point V being the southerly end of the harbor line hereby established on the easterly side of New Bedford harbor.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1937.

AN ACT TO ENABLE THE CITY OF BOSTON TO USE FOR GENERAL PURPOSES OF THE COUNTY OF SUFFOLK A CERTAIN SUM OF MONEY NOW IN THE CUSTODY OF SAID CITY.. *Chap.128*

Be it enacted, etc., as follows:

SECTION 1. The superior court, after notice to the city of Boston and the attorney general, may by order authorize said city to use for the general purposes of the county of Suffolk the sums, aggregating fourteen thousand, three hundred and twenty-six dollars and twenty-three cents, paid to the collector of the city of Boston by the clerk of the superior court for civil business within and for the county of Suffolk, and now held by said city subject to the further order of said court, pursuant to an order made upon the suggestion of said clerk on March eleventh, nineteen hundred and twenty-one, in case numbered one hundred and thirty thousand and seventy of the files and records on the law side of said court within and for said county, together with all interest received by said city on all or any part of said sums, and thereafter said city may use said funds as so authorized.

SECTION 2. At any time within six years after the making of the order authorized by section one, said court, upon the petition of any person claiming any part of the sums to which such order relates, and after notice to the city of Boston, may order such amount as it finds to be due to him out of such sums to be paid to him out of any available funds in the treasury of said city.

SECTION 3. This act shall take effect upon its passage.

Approved March 25, 1937.

AN ACT RELATIVE TO ASSESSORS AND ASSISTANT ASSESSORS. *Chap.129*

Be it enacted, etc., as follows:

SECTION 1. Chapter forty-one of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out section twenty-four A. G. L. (Ter. Ed.), 41, § 24A, repealed.

SECTION 2. Said chapter forty-one is hereby further amended by striking out section twenty-five, as so appearing, and inserting in place thereof the following: — *Section 25.* In towns which accept this section or have accepted corresponding provisions of earlier laws, the selectmen shall appoint suitable citizens of the town assessors for a term of not more than three years, and may remove them at any time for cause after a hearing. Upon the qualification of persons so appointed the term of existing assessors of such town shall terminate. G. L. (Ter. Ed.), 41, § 25, amended. Appointment of assessors.

SECTION 3. Said chapter forty-one is hereby further amended by striking out section twenty-five A, as so appearing, and inserting in place thereof the following: — *Section 25A.* The assessors, during the month of December in each year, shall appoint as assistant assessors such number of suitable citizens of the town as they deem necessary, and G. L. (Ter. Ed.), 41, § 25A, amended. Assistant assessors, appointment of.

may remove them. Such assistant assessors shall perform such duties as the assessors may require for such time as they may determine and shall receive compensation only for duties performed as so required. Every such assistant assessor shall hold office for the calendar year following his appointment unless sooner removed; provided, that, in case the assessors fail to appoint a successor to any such assistant assessor during the month of December preceding the expiration of his term of office, he shall continue to serve during the ensuing calendar year unless sooner removed. This section shall apply in all cities and towns, except Boston, notwithstanding any provision of special law.

G. L. (Ter. Ed.), 41, § 26, amended.

Appointment, etc., by selectmen.

SECTION 4. Said chapter forty-one is hereby further amended by striking out section twenty-six, as so appearing, and inserting in place thereof the following:— *Section 26.* If a town votes under section twenty-one to have its selectmen appoint a board of assessors, the selectmen shall thereupon appoint three or five suitable persons as assessors, who shall act as assessors of the town and shall have all necessary powers therefor. *Approved March 25, 1937.*

Chap.130 AN ACT RELATIVE TO THE SALE OF ARTIFICIAL FLOWERS BY HAWKERS AND PEDLERS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 101, § 16, etc., amended.

Selling of certain articles prohibited.

Section sixteen of chapter one hundred and one of the General Laws, as amended by chapter forty-two of the acts of nineteen hundred and thirty-five, is hereby further amended by inserting before the word "artificial" in the third and sixth lines, in each instance, the word:— small, — and by adding at the end the following new sentence:— For the purposes of this section, a "small artificial flower" shall mean any artificial flower the blossom or body of which does not exceed two and one quarter inches in any dimension, — so as to read as follows:— *Section 16.* The sale by hawkers or pedlers of jewelry, furs, wines or spirituous liquors, small artificial flowers or miniature flags is prohibited. Nothing in this section shall be construed to prevent the granting of temporary licenses under section thirty-three for the sale of small artificial flowers or miniature flags. For the purposes of this section, a "small artificial flower" shall mean any artificial flower the blossom or body of which does not exceed two and one quarter inches in any dimension. *Approved March 25, 1937.*

Chap.131 AN ACT RELATIVE TO THE ARRANGEMENT OF THE NAMES OF CANDIDATES ON BALLOTS TO BE USED AT PRELIMINARY ELECTIONS IN THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

The names of candidates for nomination at preliminary elections in the city of Fall River shall be arranged on the

official ballots to be used at such elections alphabetically according to their surnames, notwithstanding any provision of chapter forty-three of the General Laws.

Approved March 25, 1937.

AN ACT RELATIVE TO EXEMPTION FROM THE PAYMENT OF
LOCAL TAXES ON TANGIBLE PERSONAL PROPERTY.

Chap. 132

Be it enacted, etc., as follows:

Section five of chapter fifty-nine of the General Laws, as most recently amended by section one of chapter three hundred and sixty-two of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out clause twentieth, as appearing in the Tercentenary Edition, and inserting in place thereof the following:—

G. L. (Ter. Ed.), 59, § 5, etc., amended.

Twentieth, The wearing apparel, farming utensils and cash on hand of every person and the tools of his trade if a mechanic, to any amount; and to an amount not exceeding a total value of one thousand dollars in respect to all the articles hereinafter specified in this clause, his household furniture and effects, including jewelry, plate, works of art, musical instruments, radios and garage or stable accessories, used or commonly kept in or about the dwelling of which he is the owner of record or for the use of which he is obligated to pay rent, and which is the place of his domicile, and boats, fishing gear and nets owned and actually used by him in the prosecution of his business if engaged exclusively in commercial fishing. *Approved March 25, 1937.*

Exemption from taxation of wearing apparel, etc.

AN ACT RELATIVE TO THE TIME OF FILING IN DISTRICT
COURTS, BY PLAINTIFFS IN ACTIONS OF TORT ARISING OUT
OF THE OPERATION OF MOTOR VEHICLES, OF CLAIMS OF
TRIAL BY THE SUPERIOR COURT.

Chap. 133

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and two A of chapter two hundred and thirty-one of the General Laws, inserted by section three of chapter three hundred and eighty-seven of the acts of nineteen hundred and thirty-four, is hereby amended by striking out, in the ninth line, the words “less than two nor”, — so as to read as follows:— *Section 102A.* A party bringing in a district court an action of tort arising out of the operation of a motor vehicle shall thereby be deemed to have waived a trial by jury and any right of appeal to the superior court, unless said action is removed to the superior court as provided in this section, but in case such action is so removed by any other party the plaintiff shall have the same right to claim a jury trial as if the action had been originally brought in the superior court. Not more than four days after the entry of such an action in a district court, the plaintiff may file in said court a claim of trial by the superior court, with or without jury,

G. L. (Ter. Ed.), 231, § 102A, etc., amended.

Removal of certain actions brought in district courts.

and an affidavit by his counsel of record, if any, and if none, the affidavit of such party, that in his opinion there is an issue of fact or law requiring trial in the cause and that such trial is in good faith intended, together with the sum of three dollars for the entry of the cause in the superior court. The clerk shall forthwith transmit the papers in the cause and said entry fee to the clerk of the superior court, and the case shall proceed as though originally entered there.

No other party to such action shall be entitled to an appeal. In lieu thereof, any such other party may remove such action to the superior court and the pertinent provisions of sections one hundred and four to one hundred and ten, inclusive, shall apply thereto. If a trial by jury is claimed by any party such action may be marked for trial upon the list of causes advanced for speedy trial by jury.

Effective
date.

SECTION 2. This act shall take effect on July first of the current year.

Approved March 25, 1937.

Chap. 134 AN ACT INCREASING THE MEMBERSHIP OF THE BOARD OF PUBLIC WELFARE OF THE CITY OF MEDFORD.

Be it enacted, etc., as follows:

SECTION 1. Section thirty-two of chapter three hundred and forty-five of the acts of nineteen hundred and three is hereby amended by striking out clause Eighth and inserting in place thereof the following: —

Eighth. A board of public welfare, consisting of five persons.

SECTION 2. Of the additional members of the board of public welfare of the city of Medford authorized by section one of this act, one shall be appointed by the mayor, subject to confirmation by the board of aldermen, to serve until the first Monday in March in the year nineteen hundred and thirty-nine, and one to serve until the first Monday in March in the year nineteen hundred and forty; and their respective successors shall be appointed subject to the provisions of section thirty-four of said chapter three hundred and forty-five.

SECTION 3. This act shall be submitted for acceptance to the registered voters of the city of Medford at its city election in the current year in the form of the following question which shall be placed upon the official ballot to be used at said election: "Shall an act passed by the general court in the year nineteen hundred and thirty-seven, entitled 'An Act increasing the Membership of the Board of Public Welfare of the City of Medford', be accepted?" If a majority of the voters voting thereon votes in the affirmative in answer to said question, this act shall thereupon take effect, but not otherwise.

Approved March 25, 1937.

AN ACT RELATIVE TO FORMS OF APPLICATION FOR ABATEMENT OF TAXES AND CERTAIN OTHER FORMS AND THE APPROVAL THEREOF BY THE COMMISSIONER OF CORPORATIONS AND TAXATION.

Chap. 135

Be it enacted, etc., as follows:

SECTION 1. Chapter fifty-eight of the General Laws is hereby amended by adding at the end, under the heading "FORMS", the following new section: — *Section 31*. In addition to the forms expressly required by any other provision of law to be as prescribed or approved by the commissioner, such other forms as may be deemed by him to be necessary or convenient for use under any provision of chapters fifty-nine to sixty-five A, inclusive, shall be as prescribed or approved by him; provided, that variance from a form so prescribed or approved shall not affect the validity of the form so used, if the form used is in substantial conformity to that so prescribed or approved, and the commissioner shall, upon written request, approve said form for the particular use intended. In any case where the commissioner, under authority hereinbefore granted to him, shall prescribe or approve only a portion of a form as being necessary or convenient for use, the provisions of this section relative to forms shall apply to such portion of a form.

G. L. (Ter. Ed.), 58, new section 31, added.

Forms of applications.

SECTION 2. Section forty-three of chapter sixty-two of the General Laws, as amended by section five of chapter three hundred and fifty of the acts of nineteen hundred and thirty-three, is hereby further amended by inserting after the word "apply" in the third line the words: — in writing, — and by inserting after the word "commissioner" in the same line the words: — on a form approved by him, — so as to read as follows: — *Section 43*. Any person aggrieved by the assessment of a tax under this chapter may apply in writing to the commissioner on a form approved by him for an abatement thereof at any time within six months after the date of the notice of the assessment, or, if he dies during said six months his executor or administrator may apply for such abatement within one month after his appointment; and if, after a hearing, the commissioner finds that the tax is excessive in amount or that the person assessed is not subject thereto, he shall abate it in whole or in part accordingly. If the tax has been paid, the state treasurer shall repay to the person assessed the amount of such abatement, with interest thereon at the rate of six per cent per annum from the time when it was paid, but not from a time earlier than October first of the year in which the return of income subject to said tax was required to be filed. The commissioner shall notify the petitioner by registered letter of his decision upon the petition.

G. L. (Ter. Ed.), 62, § 43, etc., amended.

Abatement by commissioner.

SECTION 3. Chapter sixty-three of the General Laws is hereby amended by inserting after section seventy-one A, as amended, the following new section: — *Section 71B*.

G. L. (Ter. Ed.), 63, new section 71B, added.

Application to
be in writing.

Applications for abatement or correction of taxes, made pursuant to any provision of this chapter, shall be in writing upon forms approved by the commissioner.

Approved March 25, 1937.

Chap.136 AN ACT RELATIVE TO THE WILFUL PARTICIPATION BY ANY PERSON IN CONSPIRACIES TO COMMIT, OR IN THE COMMITMENT, TO INSTITUTIONS FOR THE INSANE OF PERSONS WHO ARE NOT INSANE.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 123, § 110,
amended.

Section one hundred and ten of chapter one hundred and twenty-three of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the first line, the words "A physician who" and inserting in place thereof the word:— Whoever,— and by inserting after the word "insane" in the third line the words:— or wilfully assists in or connives at such a commitment,— so as to read as follows:— *Section 110.* Whoever wilfully conspires with a person unlawfully or improperly to commit to an institution for the insane a person who is not insane or wilfully assists in or connives at such a commitment shall be punished by fine or imprisonment, at the discretion of the court.

Approved March 25, 1937.

Conspiracy
to commit a
sane person.

Chap.137 AN ACT AUTHORIZING THE ASSOCIATED CHARITIES OF PITTSFIELD TO TRANSFER CERTAIN FUNDS TO THE BERKSHIRE COUNTY HOME FOR AGED WOMEN.

Be it enacted, etc., as follows:

SECTION 1. The Associated Charities of Pittsfield, formerly called Union for Home Work in Pittsfield, a charitable corporation, is hereby authorized to transfer and pay over to the Berkshire County Home for Aged Women, a charitable corporation, the Mary E. Francis fund, so called, bequeathed to it in the will of Mary E. Francis, late of said Pittsfield, and the Abraham Burbank fund, so called, held by it under the will of Abraham Burbank, late of said Pittsfield, and/or under the compromise agreement authorized by the Berkshire probate court in relation to the settlement of the estate of said Abraham Burbank, such funds to be administered by said Berkshire County Home for Aged Women for the purposes respectively stated in said will or wills and/or said compromise agreement.

SECTION 2. The power hereby granted shall be exercised only in conformity with such a decree, if any, of the supreme judicial court, sitting in equity for the county of Berkshire, as may be entered within one year after the effective date of this act.

SECTION 3. This act shall not take effect until it shall have been accepted by the votes of the board of directors,

or the officers having the powers of directors, of each of said corporations and copies of the respective votes of acceptance shall have been filed with the state secretary.

Approved March 25, 1937.

AN ACT ESTABLISHING THE TOPSFIELD WATER DISTRICT OF
TOPSFIELD. *Chap.138*

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Topsfield, liable to taxation in said town and residing within the territory comprised within the following boundary lines, to wit: beginning at the point where the boundary line between the town of Topsfield and the town of Boxford intersects the center line of Bear Hill road; thence approximately easterly along a straight line to the intersection of the center line of North street and the center line of Camp Meeting road; thence approximately easterly along the center line of said Camp Meeting road to its intersection of a line which lies parallel to and east of the present center line of the Newburyport turnpike a distance of twelve hundred feet; thence southwesterly parallel to and east of said Newburyport turnpike to the center line of Ipswich river; thence westerly following the center line of said Ipswich river to the boundary line between the town of Topsfield and the town of Boxford at Fish brook; thence northerly along said boundary line between the town of Topsfield and the town of Boxford to the point of beginning, — shall constitute a fire and water district, and are hereby made a body corporate by the name of Topsfield Water District of Topsfield, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and to assess and raise taxes as provided herein for the payment of such services and for defraying the necessary expenses of carrying on the business of said district, but subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. For the purposes aforesaid, the district, acting by and through its board of water commissioners hereinafter provided for, may contract with any municipality, acting through its water department, or with any water company, or with any water district, for whatever water may be required, authority to furnish the same being hereby granted, and may enter into such other contracts as may be necessary for the purposes set forth in section one of this act, and/or may take by eminent domain under chapter seventy-

nine of the General Laws, or acquire by lease, purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, spring or stream, or of any ground sources of supply by means of driven, artesian or other wells, within said town of Topsfield, not already appropriated for the purposes of a public water supply, and the water rights connected with any such water sources; and for said purposes may take as aforesaid, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the state department of public health, and that the location and arrangement of all dams, reservoirs, wells, pumping and filtration plants and such other works as may be necessary in carrying out the provisions of this act shall be subject to the approval of said department. The district may construct and maintain on the lands acquired and held under this act proper dams, wells, reservoirs, standpipes, tanks, pumping plants, buildings, fixtures and other structures, including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct pipe lines, wells and reservoirs and establish pumping works, and may construct, lay, acquire and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways, and public or other ways, and along such ways, in said town, in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, the district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that all things done upon any such way shall be subject to the direction of the selectmen of said town. The district shall not enter upon, or construct or lay any aqueduct, conduit, pipe or other works within, the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. Said district may enter upon any lands for the purpose of making surveys, test wells or pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

SECTION 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from the district under said chapter seventy-nine; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under this act, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one hundred and sixty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Topsfield Water District Loan, Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

SECTION 5. The district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section four of this act; and, when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under this act, shall without further vote be assessed upon the district by the assessors of said town of Topsfield annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 6. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district. All authority vested in said board by this section shall be subject to the provisions of section nine.

SECTION 7. Whenever a tax is duly voted by the district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town, who shall assess the same on property within the district in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of water supply under this act if, in the judgment of the board of water commissioners hereinafter provided for, after a hearing, such estate is so situated that it can receive no aid in the extinguishment of fire from the said system of water supply, or receive no benefit in fire insurance grading therefrom, or both, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be supplied in any ordinary or reasonable manner with water

from the said system; but all other estates in the district shall be deemed to be benefited and shall be subject to such tax. A certified list of the estates exempt from taxation under the provisions of this section shall annually be sent by said board of water commissioners to said assessors, at the same time at which the clerk shall send a certified copy of the vote as aforesaid. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 8. The first meeting of the voters of the territory included within the boundaries set forth in section one of this act shall be called, on petition of ten or more legal voters therein, by a warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. After the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall thereupon take effect, and the meeting may then proceed to act on the other articles in the warrant.

SECTION 9. The district, after the acceptance of this act as aforesaid, shall elect by ballot, either at the same meeting at which this act is accepted or at an annual meeting or at a special meeting thereafter called for the purpose, three persons, resident taxpayers of the district, to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the day of the next succeeding annual district meeting, to constitute a board of water commissioners, and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. All the authority granted to the district by this act, except sections four and five, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said commissioners are first elected and at each annual district meeting held thereafter, the district shall elect by ballot a treasurer of the district, who shall not be a water commissioner thereof, and who shall give bond to the district in such an amount as may be approved

by said commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by the district at any legal meeting called for the purpose. No money shall be drawn from the treasury of the district on account of its water works except upon a written order of said commissioners or a majority of them.

SECTION 10. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. Said commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

SECTION 11. The district may adopt by-laws prescribing by whom and how meetings of the district may be called, notified and conducted; and upon the application of ten or more legal voters in the district, meetings may also be called by warrant as provided in section eight. The district may also establish rules and regulations for the management of its water works, not inconsistent with this act or with law, and may choose such other officers not provided for in this act as it may deem necessary or proper.

SECTION 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, well, standpipe, aqueduct, pipe or other property owned or used by the district for any of the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above wilful or wanton acts shall be punished by a fine of not more than one hundred dollars or by imprisonment in jail for not more than six months.

SECTION 13. Upon a petition in writing addressed to said commissioners requesting that certain real estate, accurately described therein located in said town and abutting on said district be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, said commissioners shall cause a duly warned meeting of the district to be called, at which meeting the

voters may vote on the question of including said real estate within the district. If a majority of the voters present and voting thereon vote in the affirmative the district clerk shall within ten days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote; and thereupon said real estate shall become and be part of the district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

SECTION 14. This act shall take full effect upon its acceptance by a majority vote of the voters of the district present and voting thereon at a district meeting called, in accordance with the provisions of section eight, within three years after its passage; but the number of meetings so called in any one year shall not exceed three.

Approved March 25, 1937.

Chap.139 AN ACT RELATIVE TO APPROPRIATIONS BY THE TOWN OF NANTUCKET FOR MUNICIPAL ADVERTISING PURPOSES AND FOR PUBLIC AMUSEMENTS.

Be it enacted, etc., as follows:

SECTION 1. The town of Nantucket may, by a majority vote, appropriate each year a sum not exceeding three thousand dollars for advertising the advantages of the town and for providing amusements or entertainments of a public character. The money so appropriated by the town shall be expended under the direction of the board of selectmen.

SECTION 2. Chapter three hundred and seventy-seven of the acts of eighteen hundred and ninety-eight is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved March 29, 1937.

Chap.140 AN ACT ESTABLISHING THE BOUNDARY LINE BETWEEN THE TOWNS OF FOXBOROUGH AND WALPOLE.

Be it enacted, etc., as follows:

SECTION 1. The following described line shall hereafter be the boundary line between the towns of Foxborough and Walpole: Beginning at a rough stone monument in the woods marking the corner of Foxborough, Norfolk and Walpole in latitude $42^{\circ} 05' 18.76''$ and longitude $71^{\circ} 16' 50.71''$; thence running north $32^{\circ} 34'$ east (true bearing) along the present boundary between the towns of Foxborough and Walpole and four thousand three hundred and three feet distant to a point, south $32^{\circ} 34'$ west and one thousand five hundred and fifty feet distant from a town bound on the southerly side of Summer street known as Foxborough-Walpole 1; thence running north $65^{\circ} 00' 47''$ east (true bearing) three thousand six hundred and fifty-five feet to a stone bound standing on the southwesterly side of Water

street; thence in the same direction one thousand two hundred and forty-six feet to a point on the center line of the Boston-Providence state highway, U. S. Route 1; thence north $51^{\circ} 20' 32''$ east (true bearing) seven hundred and eleven feet along the center line of said highway to a point; thence north $84^{\circ} 24'$ east (true bearing) three thousand nine hundred and fifty-seven feet to a point on the present boundary line between the towns of Walpole and Sharon; thence south $1^{\circ} 25'$ west (true bearing) eight hundred feet distant along the present boundary line between the towns of Walpole and Sharon to the stone bound marking the corner of Foxborough, Sharon and Walpole in latitude $42^{\circ} 06' 15.33''$ and longitude $71^{\circ} 14' 21.71''$.

SECTION 2. The department of public works, as soon as may be after the passage of this act, shall locate all the points on the new line mentioned in this act, and shall file a plan of the same with the state secretary.

SECTION 3. This act shall take effect upon its passage.

Approved March 29, 1937.

AN ACT ENABLING THE NEW BEDFORD POLICE ASSOCIATION TO PAY INCREASED BENEFITS. Chap.141

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency
preamble.

Be it enacted, etc., as follows:

Chapter four hundred and one of the acts of nineteen hundred is hereby amended by striking out section one and inserting in place thereof the following new section: — *Section 1.* The New Bedford Police Association, a corporation duly established by law, acting by its board of directors, is hereby authorized to pay or cause to be paid from its general fund to any member in good standing, upon the death of his wife, such sum of money, not exceeding three hundred dollars, as may from time to time be fixed by vote of said corporation.

Approved March 29, 1937.

AN ACT AUTHORIZING THE TOWN OF SANDWICH TO APPROPRIATE MONEY FOR PUBLIC AMUSEMENTS. Chap.142

Be it enacted, etc., as follows:

SECTION 1. The town of Sandwich may, by a majority vote, appropriate each year a sum not exceeding five hundred dollars for providing amusements or entertainments of a public character. The money so appropriated by the town shall be expended under the direction of the board of selectmen.

SECTION 2. This act shall take effect upon its passage.

Approved March 29, 1937.

Chap. 143 AN ACT MAKING CERTAIN PERFECTING CHANGES IN THE LAWS AFFECTING REGULAR AND TEMPORARY CITY AND TOWN OFFICERS IN RESPECT TO THEIR GIVING BOND AND IN OTHER RESPECTS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 41, § 13, etc., amended.

Bond of town clerk.

SECTION 1. Section thirteen of chapter forty-one of the General Laws, as amended by chapter eighteen of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out, in the second line, the word "qualification" and inserting in place thereof the word:— election,— so as to read as follows:— *Section 13.* Every town clerk shall, within ten days after his election and thereafter, at intervals of not more than one year, so long as he continues to hold said office, give bond to the town for the faithful performance of his duties, in such sum as the selectmen shall approve. If he does not give bond as herein required the selectmen may declare the office vacant and fill the vacancy in the manner prescribed in section fourteen.

G. L. (Ter. Ed.), 41, § 35, amended.

Bond of town treasurer.

SECTION 2. Said chapter forty-one is hereby further amended by striking out section thirty-five, as appearing in the Tercentenary Edition, and inserting in place thereof the following:— *Section 35.* Every town treasurer shall give bond annually for the faithful performance of his duties in a form approved by the commissioner of corporations and taxation and in such sum, not less than the amount established by the said commissioner, as shall be fixed by the selectmen or the mayor and aldermen, and if he fails to give such bond within ten days after his election or appointment, the selectmen or the mayor and aldermen may declare the office vacant and the vacancy may be filled in the manner prescribed by section forty or sixty-one A, as the case may be. He shall receive and take charge of all money belonging to the town, and pay over and account for the same according to the order of the town or of its authorized officers. No other person shall pay any bill of any department. He shall have the authority given to an auditor by section fifty-one, and shall annually render a true account of all his receipts and disbursements and a report of his official acts.

G. L. (Ter. Ed.), 41, § 40, amended.

Bond of temporary treasurer.

SECTION 3. Said chapter forty-one is hereby further amended by striking out section forty, as so appearing, and inserting in place thereof the following:— *Section 40.* If the office of town treasurer, town collector of taxes, town accountant or auditor in a town having but one is vacant or if any such officer, because of disability or absence, is unable to perform his duties, the selectmen may in writing signed by them or by a majority of them, which shall be filed in the office of the town clerk, appoint a temporary officer to hold such office and exercise the powers and perform the duties thereof until another is duly elected or appointed and has qualified according to law or the officer who was disabled or absent resumes his duties. Any such temporary

officer shall be sworn and give bond for the faithful performance of his duties in accordance with the provisions of law applying to the officer whose place he fills, and if he fails so to do within five days after his appointment the selectmen may rescind the appointment and appoint another. This section shall not apply to cities.

SECTION 4. Said chapter forty-one is hereby further amended by striking out section sixty-one A, as so appearing, and inserting in place thereof the following: — *Section 61A.* If the office of city auditor, city treasurer, city collector of taxes or other officer having charge of a city department is vacant, or if any such officer, because of disability or absence, is unable to perform his duties, the mayor, without confirmation by the city council, any provision of a city charter to the contrary notwithstanding, shall appoint a temporary officer to hold such office and exercise the powers and perform the duties thereof until another is duly elected or appointed and has qualified according to law, or the officer who was disabled or incapacitated resumes his duties; but no such temporary officer shall be appointed under this section for a period longer than sixty days. Any such temporary officer shall be sworn and give bond for the faithful performance of his duties in accordance with the provisions of law applying to the officer whose place he fills, and if he fails so to do within five days after his appointment the mayor may rescind the appointment and appoint another.

G. L. (Ter. Ed.), 41, § 61A, amended.

Temporary auditor, etc.

SECTION 5. Section thirteen of chapter sixty of the General Laws, as so appearing, is hereby amended by adding at the end the following new sentence: — If the collector does not give bond as herein required, the selectmen or mayor and aldermen may declare the office vacant and the vacancy may be filled in the manner prescribed by section forty or sixty-one A of chapter forty-one, as the case may be, — so as to read as follows: — *Section 13.* The collector shall, before the commitment to him of any taxes of any year, give bond for the faithful performance of his duties in a form approved by the commissioner and in such sum, not less than the amount established by the commissioner, as shall be fixed by the selectmen or mayor and aldermen. A copy of each such bond shall be delivered to the commissioner. If the collector does not give bond as herein required, the selectmen or mayor and aldermen may declare the office vacant and the vacancy may be filled in the manner prescribed by section forty or sixty-one A of chapter forty-one, as the case may be.

G. L. (Ter. Ed.), 60, § 13, amended.

Bond of collector.

Approved March 29, 1937.

AN ACT RELATIVE TO ATTACHMENTS OF REAL ESTATE AFFECTING REGISTERED LAND.

Chap. 144

Be it enacted, etc., as follows:

SECTION 1. Section seventy-eight of chapter one hundred and eighty-five of the General Laws, as appearing in

G. L. (Ter. Ed.), 185, § 78, amended.

Attachments of
registered land.

the Tercentenary Edition, is hereby amended by striking out, in the seventh and eighth lines, the words “, except in the case of attachment on mesne process,” — so as to read as follows: — *Section 78.* A writing of any description or a copy of any writ required by law to be filed or recorded in the registry of deeds in order to create or preserve any lien, right or attachment upon unregistered land, if intended to affect registered land shall, in lieu of recording, be filed and registered in the office of the assistant recorder for the registry district where the land lies, and, in addition to any particulars required in such papers for recording with records of deeds, shall also contain a reference to the number of the certificate of title of the land to be affected, and the volume and page of the registration book in which the certificate is registered, and also, if the attachment, right or lien is not claimed on all the land in any certificate of title, shall contain a description sufficiently accurate for identification of the land intended to be affected; provided, that if a notice of a federal tax lien on property and rights thereto of a delinquent taxpayer or a certificate of discharge of such a lien is filed with the register of deeds under section twenty-four of chapter thirty-six and it affects registered land in his district, the duty of properly registering such notice or certificate and proceedings incident to or in connection with such a lien shall be upon him, acting as such register and as assistant recorder of the land court.

Effective
date.

SECTION 2. This act shall take effect on September first in the current year.

Approved March 29, 1937.

Chap. 145 AN ACT ESTABLISHING THE BUZZARD'S BAY WATER DISTRICT IN THE TOWN OF BOURNE.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Bourne, liable to taxation in said town, and residing within the territory comprised within the following boundary lines, to wit: — Beginning at the northwest corner of the town of Bourne at Red brook and running northeasterly along the boundary line between the towns of Plymouth and Bourne approximately two miles to a point two thousand feet northeasterly as measured along said town line from the center of White Island road; thence running southerly in a straight line to a point two thousand feet measured due east (true meridian) from the junction of the center of the state highway and the head of the Bay road; thence continuing by the same course to the Cape Cod canal; thence running westerly by the Cape Cod canal to the Wareham-Bourne town line in the Cohasset Narrows and thence turning and running northerly by the said Wareham-Bourne town line through the Cohasset Narrows, Buttermilk Bay, and to the point of beginning, — shall constitute a water district and are hereby made a body corporate by the name of the Buzzard's Bay Water District, hereinafter called the

district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. For the purposes aforesaid, the district, acting by and through its board of water commissioners hereinafter provided for, may contract with any municipality, acting through its water department, or with any water company, or with any other water district, for whatever water may be required, authority to furnish the same being hereby granted, and/or may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by lease, purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, spring or stream, or of any ground sources of supply by means of driven, artesian or other wells, within the town of Bourne or within that portion of the town of Plymouth lying within one half mile of the northerly boundary of the above defined Buzzard's Bay Water District, not already appropriated for the purposes of a public supply, and the water rights connected with any such water sources; and for said purposes may take as aforesaid, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the state department of public health, and that the location and arrangement of all dams, reservoirs, wells, pumping and filtration plants and such other works as may be necessary in carrying out the provisions of this act shall be subject to the approval of said department. Said district may construct and maintain on the lands acquired and held under this act proper dams, wells, reservoirs, standpipes, tanks, pumping plants, buildings, fixtures and other structures including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct, lay and maintain aqueducts, conduits, pipes and other works under or over any land, water

courses, railroads, railways and public or other ways, and along such ways, within said town of Bourne, or within the aforesaid portion of said town of Plymouth, in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such conduits, pipes and other works, and for all proper purposes of this act, the district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that all things done upon any such way shall be subject to the direction of the selectmen of the town in which any such way lies. Said district shall not enter upon, construct or lay any conduit, pipe or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. Said district may enter upon any lands for the purpose of making surveys, test pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

SECTION 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from the district under said chapter seventy-nine; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Buzzard's Bay Water District Loan, Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts. The town of Bourne may, at its annual town meeting or at a legal meeting called for the purpose, guarantee the payment of such bonds or notes.

SECTION 5. The district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section four of this act; and when a vote to that effect has been passed a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as

may be required under the provisions of this act, shall without further vote be assessed upon the district by the assessors of said town of Bourne annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 6. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district. All authority vested in said board by this section shall be subject to section nine.

SECTION 7. Whenever a tax is duly voted by said district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town, who shall assess the same in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of water supply under this act, if, in the judgment of the board of water commissioners hereinafter provided for, after a hearing, such estate is so situated that it can receive no aid in the extinguishment of fire from the said system of water supply, or receive no benefit in fire insurance grading therefrom, or both, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be supplied with water from said system in any ordinary or reasonable manner; but all other estates in said district shall be deemed to be benefited and shall be subject to the tax. A certified list of the estates exempt from taxation under the provisions of this section shall annually be sent by the board of water commissioners to the assessors, at the same time at which the clerk shall send a certified copy of the vote as aforesaid. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of said district. Said district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 8. The first meeting of the voters of the territory included within the boundaries set forth in section one of this act shall be called on petition of ten or more legal voters therein, by a warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. After the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall thereupon take full effect,

and the meeting may then proceed to act on the other articles in the warrant.

SECTION 9. Said district shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act is accepted or at a special meeting thereafter called for the purpose, three persons, resident taxpayers of the district, to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for a term of three years. All the authority granted to said district by this act, except sections four and five, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said commissioners are first elected and at each annual district meeting held thereafter, the commissioners shall elect by ballot a treasurer of the district, who may be a commissioner, and who shall give bond to the district in such an amount as may be approved by said commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said district at any legal meeting called for the purpose. No money shall be drawn from the treasury of said district on account of its water works except upon a written order of said commissioners or a majority of them.

SECTION 10. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. Said commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

SECTION 11. The district may adopt by-laws, prescribing by whom and how meetings of the district may be called, notified, and conducted; and, upon the application of ten or more legal voters in the district, meetings may also be

called by warrant as provided in section eight. The district may also establish rules and regulations for the management of its water works, not inconsistent with this act or with any other provision of law, and may choose such other officers not provided for in this act as it may deem necessary or proper.

SECTION 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, well, standpipe, aqueduct, pipe or other property owned or used by the district for any of the purposes of this act, shall forfeit and pay the district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above wilful or wanton acts shall be punished by a fine of not more than one hundred dollars or by imprisonment in jail for not more than six months.

SECTION 13. Upon a petition in writing addressed to said commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on said district and not otherwise served by a public water supply be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, said commissioners shall cause a duly warned meeting of the district to be called, at which meeting the voters may vote on the question of including said real estate within the district. If a majority of the voters present and voting thereon vote in the affirmative the district clerk shall within ten days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote; and thereupon said real estate shall become and be part of the district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

SECTION 14. This act shall take full effect upon its acceptance by a majority vote of the voters of the territory included within said district by section one of this act present and voting thereon at a district meeting called, in accordance with the provisions of section eight, within three years after its passage, but the number of meetings called in any one year shall not exceed three.

Approved March 29, 1937.

AN ACT AUTHORIZING THE REGISTRATION OF VOTERS IN
CERTAIN CITIES ON OCTOBER FOURTEENTH IN THE CUR-
RENT YEAR. Chap. 146

Be it enacted, etc., as follows:

In cities in which the municipal election takes place on the first Tuesday after the first Monday in November the election commissioners or registrars of voters, as the case may be, may in the current year register voters on October

fourteenth, in addition to the days on which they may by general law register voters, anything to the contrary in any provision of general or special law notwithstanding.

Approved March 29, 1937.

Chap.147 AN ACT RELATIVE TO THE TIME FOR FILING CERTAIN STATEMENTS AND PETITIONS BY CANDIDATES TO BE VOTED FOR AT PRELIMINARY ELECTIONS IN CITIES HAVING STANDARD FORM CHARTERS, SO CALLED.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 43, § 44C, amended.

Candidates for nomination.

Section forty-four C of chapter forty-three of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the fifth line, the word "ten" and inserting in place thereof the word:— twenty,— so that the first paragraph will read as follows:— Any person who is qualified to vote for a candidate for any elective municipal office and who is a candidate for nomination thereto, shall be entitled to have his name as such candidate printed on the official ballot to be used at a preliminary election; provided, that at least twenty days prior to such preliminary election he shall file with the city clerk a statement in writing of his candidacy, and with it the petition of at least fifty voters, qualified to vote for a candidate for the said office. Said statement and petition shall be in substantially the following form:—

Approved March 29, 1937.

Chap.148 AN ACT REPEALING PROVISIONS OF LAW RELATIVE TO CERTAIN ANNUAL RETURNS BY SHERIFFS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 37, § 23, etc., repealed.

Section twenty-three of chapter thirty-seven of the General Laws, as amended by section two of chapter thirty-one of the acts of nineteen hundred and thirty-six, is hereby repealed.

Approved March 29, 1937.

Chap.149 AN ACT RELATIVE TO THE USE OF THE WADING RIVER AS A SOURCE OF WATER SUPPLY OF THE CITY OF ATTLEBORO.

Be it enacted, etc., as follows:

Section one of chapter two hundred and eighty-two of the acts of nineteen hundred and twenty-five is hereby amended by inserting at the end the following new paragraph:—

The manner and extent of taking water from said Wading river and the storing thereof in Miramichi pond shall be subject at all times to the approval of the state department of public health, hereafter in this paragraph called the department, and said city of Attleboro shall install and maintain such measuring and recording devices, satisfactory to the department, as may be necessary to record at all times, accurately, regularly and permanently (a) the amount of

water diverted or taken by said city from said Wading river, (b) the amount of water released from said Miramichi pond, and (c) the amount of water flowing in said Wading river below said point of diversion or taking, and said city shall file on or before the fifteenth day of each month with the department a true and correct transcript of all such records for the preceding month, which shall be open at all reasonable times to inspection by the public. In the operation of Miramichi pond as a compensating reservoir for the purpose of compensating for all damages that would otherwise arise to property owners having rights in said Wading river and its waters, by reason of the taking and diverting of water from the said Wading river as provided in this act, said city of Attleboro shall release from Miramichi pond water in such amounts and at such times as may be necessary in the opinion of the department to compensate for the water taken or diverted from the said river by the said city of Attleboro and for the increased evaporation loss, if any, due to storage at Miramichi pond, but no water shall be released by said city from said pond except with the approval of the department.

Approved March 29, 1937.

AN ACT PROVIDING FOR BIENNIAL MUNICIPAL ELECTIONS IN THE CITY OF NEWTON. *Chap.150*

Be it enacted, etc., as follows:

SECTION 1. Beginning with the year nineteen hundred and thirty-seven, municipal elections in the city of Newton for the choice of mayor, aldermen and members of the school committee shall be held biennially in each odd-numbered year; in said year nineteen hundred and thirty-seven on the second Tuesday in December and thereafter on the Tuesday next after the first Monday in November. No municipal election shall be held in said city in the year nineteen hundred and thirty-eight.

SECTION 2. All members of the board of aldermen to be elected at the regular municipal election to be held in said city in the year nineteen hundred and thirty-seven shall serve for two years from the first secular day in January following their election and until their successors are qualified. The aldermen at large elected at the regular municipal election held in the year nineteen hundred and thirty-six shall continue to hold office until the qualification of their successors who shall be elected at the biennial municipal election in the year nineteen hundred and thirty-nine. At the biennial municipal election to be held in said city in the year nineteen hundred and thirty-nine and at every biennial municipal election held thereafter the mayor and all the aldermen shall be elected to serve for two years from the first secular day in January following their election and until their successors are qualified.

PROVISIONS RELATIVE TO SCHOOL COMMITTEE IF PLAN A IS
ADOPTED.

SECTION 3. Members of the school committee elected at the regular municipal election in the year nineteen hundred and thirty-five shall continue to hold office until the qualification of their successors who shall be elected at the biennial municipal election in the year nineteen hundred and thirty-nine. Members of the school committee to be elected at the regular municipal election in the year nineteen hundred and thirty-seven shall serve for four years from the first secular day in January following their election and until their successors are qualified. At the biennial municipal election in the year nineteen hundred and thirty-nine there shall be elected five members of the school committee, and the four members elected thereat who receive the highest number of votes shall serve for four years from the first secular day in January following their election and until their successors are qualified, and the member elected thereat who receives the fifth highest number of votes shall serve for two years from the first secular day in January following his election and until his successor is qualified. At every biennial municipal election thereafter all members of the school committee to be elected thereat shall be elected to serve for four years from the first secular day in January following their election and until their successors are qualified. Section thirty-six of chapter forty-three of the General Laws shall apply to vacancies in the school committee, except that for the purposes hereof where the words "first Monday in January" are used in said section they shall be deemed to mean the first secular day in January.

PROVISIONS RELATIVE TO SCHOOL COMMITTEE IF PLAN B IS
ADOPTED.

SECTION 4. Members of the school committee elected at the regular municipal election in the year nineteen hundred and thirty-five shall continue to hold office until the qualification of their successors who shall be elected at the biennial municipal election in the year nineteen hundred and thirty-nine. Members of the school committee to be elected at the regular municipal election in the year nineteen hundred and thirty-seven shall serve for two years only, from the first secular day in January following their election and until the qualification of their successors. At the biennial municipal election in the year nineteen hundred and thirty-nine and thereafter at every biennial municipal election all elective members of the school committee shall be elected to serve for two years from the first secular day in January following their election and until the qualification of their successors. Section thirty-six of chapter forty-three of the General Laws shall apply to vacancies in the school committee, except that for the purposes hereof where the words

"first Monday in January" are used in said section they shall be deemed to mean the first secular day in January.

SECTION 5. So much of chapter two hundred and eighty-three of the acts of eighteen hundred and ninety-seven, and acts in amendment thereof and in addition thereto, as is inconsistent with this act is hereby repealed.

SECTION 6. There shall be placed upon the official ballot to be used at the regular municipal election in the city of Newton in the current year the following questions: —

"QUESTION (1). Shall municipal elections in this city be held *biennially* under the provisions of an act passed by the general court during the current year entitled, 'An act providing for biennial municipal elections in the city of Newton', providing among other things for either four-year terms or two-year terms for members of the school committee as may be determined by the votes in answer to Question (2)?

YES	
NO	

QUESTION (2). If municipal elections are held biennially in this city as aforesaid, which *one* of the following plans relative to the terms of members of the school committee shall be adopted?

Plan A. Members of the school committee shall serve for terms of FOUR years each.

--

Plan B. Members of the school committee shall serve for terms of TWO years each.

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The following instructions shall also be placed on said ballot immediately above said Plan A: —

Instructions. Each voter shall make a cross in the space at the right of the plan under question (2) which he desires to have adopted. If a voter has made a cross in each such space his vote on question (2) shall not be counted.

SECTION 7. If a majority of the votes cast under the preceding section on question (1) is in the affirmative and a majority of the votes so cast on question (2) is in favor of Plan A, sections one, two, three and five of this act shall thereupon take full effect, and section four shall be of no effect.

If a majority of the votes so cast on question (1) is in the affirmative and a majority of the votes so cast on question (2) is not in favor of Plan A, sections one, two, four and five of this act shall thereupon take full effect, and section three shall be of no effect.

If a majority of the votes so cast on question (1) is not in the affirmative, sections one to five, inclusive, of this act shall be of no effect.

Approved March 29, 1937.

*Chap.*151 AN ACT RELATIVE TO CHANGE OF PURPOSE OR NAME OF CORPORATIONS ORGANIZED FOR CHARITABLE AND CERTAIN OTHER PURPOSES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 180, § 10, etc., amended.

Change of purpose of corporation.

SECTION 1. Chapter one hundred and eighty of the General Laws is hereby amended by striking out section ten, as amended by section thirty-seven of chapter one hundred and eighty of the acts of nineteen hundred and thirty-two, and inserting in place thereof the following:—*Section 10.* Such corporation may, at a meeting duly called for the purpose, by vote of two thirds of the capital stock outstanding and entitled to vote, or, in case such corporation has no capital stock, by vote of two thirds of the persons legally qualified to vote in meetings of the corporation, or by a larger vote if its agreement of association or by-laws shall so require, add to or change the purposes for which it was incorporated, if the additional or new purpose is authorized by section two. The presiding, financial and recording officers and a majority of its other officers having the powers of directors shall forthwith make, sign and swear to a certificate setting forth such addition to or change of purposes, which, having been submitted to the commissioner of corporations and taxation and approved by him, shall thereupon be filed in the office of the state secretary.

G. L. (Ter. Ed.), 180, § 11, amended.

Change of name or purpose.

SECTION 2. Said chapter one hundred and eighty is hereby further amended by striking out section eleven, as appearing in the Tercentenary Edition, and inserting in place thereof the following:—*Section 11.* A corporation organized under general or special laws for any of the purposes specified in section two, if unable to comply with section ten of this chapter or section ten of chapter one hundred and fifty-five, may petition the commissioner of corporations and taxation, hereinafter called the commissioner, for an addition to or change of purposes or for a change of name, as the case may be. The petition shall contain a list of the officers and stockholders or members of the corporation, so far as they are known, with their addresses; shall state why the section in question cannot be complied with and the additional or new purposes or the name proposed to be adopted by the corporation. It shall be signed and sworn to by the president or one member of the board of directors. The commissioner may require the petitioner to give him information as to what attempt, if any, has been made to secure the approval of two thirds of the stockholders or members, or of such proportion thereof as the agreement of association or by-laws of the corporation may prescribe, for the proposed addition to or change of purposes or for the proposed change of name. The commissioner may also require any other information which may assist in determining the matter before him. He may direct the petitioner or the officers of the corporation to

give any further notice to the members thereof of the proposed addition to or change of purposes or change of name and to report to him the result of such notice. If the commissioner is satisfied that the proposed new or additional purposes or the proposed name of the corporation is approved by such members or stockholders thereof as have expressed an opinion in relation thereto, or of a reasonable proportion thereof, he shall, in the case of a change of name, endorse his approval on the petition, or, in the case of an addition to or change of purposes, if he finds that the additional or new purpose is authorized by said section two, he shall so endorse his approval, and thereupon the petition shall be filed in the office of the state secretary, who shall, in the case of a change of name, direct publication thereof and grant a certificate of name as provided in section ten of said chapter one hundred and fifty-five. No petition hereunder for a change of name of a corporation subject to section twenty-six shall be considered by the commissioner until after such change of name has been approved by the state secretary.

Approved March 29, 1937.

AN ACT PERMITTING FISHING WITHOUT A LICENSE IN CERTAIN PONDS IN DUKES COUNTY.

Chap.152

Be it enacted, etc., as follows:

SECTION 1. Fishing without a license, but subject otherwise to the provisions of law regulating fishing, is hereby permitted in the following ponds in Dukes county, — Lower Chilmark pond in the town of Chilmark, West Tisbury pond in the towns of Chilmark and West Tisbury, Oyster pond, Edgartown pond and Trapp pond in the town of Edgartown, Farm pond in the town of Oak Bluffs, Tashmoo pond in the town of Tisbury and Squibnoeket pond in the towns of Chilmark and Gay Head.

SECTION 2. This act shall take effect upon its passage.

Approved March 31, 1937.

AN ACT AUTHORIZING THE COMMISSIONER OF LABOR AND INDUSTRIES TO SUSPEND UNTIL APRIL FIRST, NINETEEN HUNDRED AND THIRTY-EIGHT, THE SIX O'CLOCK LAW, SO CALLED, RELATING TO THE HOURS OF EMPLOYMENT OF WOMEN IN THE TEXTILE INDUSTRY.

Chap.153

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section one of chapter three hundred and forty-seven of the acts of nineteen hundred and thirty-three, as most recently amended by chapter one hundred and fifty-four of

the acts of nineteen hundred and thirty-six, is hereby further amended by striking out, in the fourth and fifth lines, the word "thirty-seven" and inserting in place thereof the word: — thirty-eight, — so as to read as follows: — *Section 1.* The commissioner of labor and industries is hereby authorized, in conformity with Article XX of Part the First of the Constitution of the Commonwealth, to suspend, until April first, nineteen hundred and thirty-eight, subject to such restrictions and conditions as the said commissioner may prescribe, so much of section fifty-nine of chapter one hundred and forty-nine of the General Laws, as amended, as prohibits the employment of women in the manufacture of textile goods after six o'clock in the evening; and, during the time of such suspension, those parts of said section fifty-nine which are so suspended shall be inoperative and of no effect. *Approved March 31, 1937.*

Chap. 154 AN ACT RELATIVE TO APPROPRIATIONS FOR SCHOOL PURPOSES
IN THE CITY OF LYNN.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and seventy-eight of the acts of nineteen hundred and nine, as most recently amended by section one of chapter two hundred and thirty-four of the acts of nineteen hundred and twenty-one and as affected by section thirty of chapter forty-four of the General Laws, is hereby further amended by adding at the end the following new paragraph: —

Notwithstanding the foregoing provisions of this section, if in the opinion of the school committee amounts in excess of the aggregate amount which would be available under such provisions are necessary for the above named purposes for any financial year, the school committee, by vote of a majority of all its members taken by yeas and nays, subject to the approval of the mayor, may increase appropriations for said purposes for such financial year, but the total amount available for said purposes from all sources, including taxation, balances of appropriations and miscellaneous receipts, shall not exceed the sum of one million five hundred and fifty thousand dollars.

SECTION 2. Said chapter one hundred and seventy-eight is hereby further amended by striking out section three and inserting in place thereof the following: — *Section 3.* The school committee shall forthwith certify to the assessors the appropriations voted hereunder for each financial year and the provisions made for meeting such appropriations; and the assessors shall include as appropriations in the annual assessment of taxes for that year the total amount so certified and may deduct from the amount required to be assessed all amounts lawfully applicable to the payment of school expenditures of that year.

SECTION 3. Appropriations for the current year may be made under section one of said chapter one hundred and

seventy-eight, as most recently amended by section one of this act and as affected as aforesaid, at any time before the fixing of the tax rate for the city of Lynn for the current year, notwithstanding any provision therein contained.

SECTION 4. This act shall take effect upon its passage.

Approved April 1, 1937.

AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF HAMPSHIRE COUNTY TO PURCHASE A CERTAIN BRIDGE OVER THE CONNECTICUT RIVER BETWEEN THE CITY OF NORTHAMPTON AND THE TOWN OF HADLEY AND TO DO CERTAIN OTHER ACTS IN CONNECTION WITH THE CONSTRUCTION OF A NEW BRIDGE IN THE VICINITY THEREOF AND TO BORROW MONEY FOR SUCH PURPOSES.

Chap. 155

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Hampshire, hereinafter called the commissioners, are hereby authorized to purchase the bridge, and its approaches, now or formerly owned by the Northampton Street Railway Company, which crosses the Connecticut river, between the city of Northampton and the town of Hadley, if they deem such purchase advisable and are able to purchase said bridge and approaches for a price which they deem reasonable, but not exceeding five thousand dollars.

SECTION 2. The commissioners may enter upon, or take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, all such public or private lands or parts thereof or rights therein, or such public ways, as may be necessary for carrying out the plans of the state department of public works for the erection of a new bridge and approaches to replace the present bridge over the Connecticut river between the city of Northampton and the town of Hadley, including such lands or rights therein as may be necessary for the construction of all necessary drainage outlets; provided, that no damages shall be paid for public lands or public ways so taken. The cost of land takings, including any damages awarded on account of any taking of lands or property, or any injury to the same, and any sums paid for lands or rights purchased, shall be borne by the county of Hampshire. The total amount to be paid by said county under this and the preceding section shall not exceed thirty thousand dollars.

SECTION 3. For the purpose of meeting the payments required to be made by the county of Hampshire under this act, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, thirty thousand dollars, and may issue notes of the county therefor. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not less than one year and not more than five years from their respective dates. Notes issued hereunder shall

bear on their face the words, County of Hampshire Bridge Loan, Act of 1937. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws. Such notes shall be signed by the treasurer of said county and countersigned by a majority of the commissioners. The county may sell said securities at public or private sale upon such terms and conditions as the commissioners may deem proper, but not for less than their par value.

SECTION 4. This act shall take effect upon its passage.

Approved April 1, 1937.

Chap.156 AN ACT PENALIZING THE DEPOSIT WITHOUT RIGHT OF CERTAIN ARTICLES AND MATERIALS IN PONDS IN THE TOWN OF NANTUCKET.

Be it enacted, etc., as follows:

SECTION 1. Whoever wilfully, intentionally and without right deposits or causes to be deposited in any pond in the town of Nantucket any article or materials which may directly or indirectly be detrimental to fishing in or navigation on such pond or to any public or private right therein, shall be punished by a fine of not less than one hundred nor more than five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved April 1, 1937.

Chap.157 AN ACT PROVIDING FOR ENFORCEMENT OF CERTAIN PROVISIONS OF LAW RELATIVE TO STATE FINANCE.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 29, new
section 63,
added.

Taxpayers'
petition to
restrain
unlawful
expenditures.

Chapter twenty-nine of the General Laws is hereby amended by inserting after section sixty-two, as appearing in the Tercentenary Edition, the following new section:—
Section 63. If a department, commission, board, officer, employee or agent of the commonwealth is about to expend money or incur obligations purporting to bind the commonwealth for any purpose or object or in any manner other than that for and in which such department, commission, board, officer, employee or agent has the legal and constitutional right and power to expend money or incur obligations, the supreme judicial or superior court may, upon the petition of not less than twenty-four taxable inhabitants of the commonwealth, not more than six of whom shall be from any one county, determine the same in equity, and may, before the final determination of the cause, restrain the unlawful exercise or abuse of such right and power.

Approved April 1, 1937.

AN ACT PROVIDING FOR A FIFTH ASSISTANT CLERK OF COURTS *Chap.158*
FOR THE COUNTY OF MIDDLESEX.

Be it enacted, etc., as follows:

SECTION 1. Section four of chapter two hundred and twenty-one of the General Laws, as amended by section one of chapter eighty-nine of the acts of nineteen hundred and thirty-five, is hereby further amended by striking out, in the fourteenth line, the word "and" and inserting in place thereof a comma, — by inserting after the word "assistant" in the same line the words: — and a fifth assistant, — and by adding at the end thereof the following paragraph: — The fifth assistant clerk of courts for the county of Middlesex shall keep reasonable daily office hours, on days other than Sundays and holidays, at the office of the clerk of courts for said county in the county court house in the city of Lowell, — so as to read as follows: — *Section 4.* The justices of the supreme judicial court shall appoint for a term of three years from the date of their appointment, and may remove, assistant clerks of courts, as follows:

G. L. (Ter. Ed.), 221, § 4, etc., amended.

For the county of —
Barnstable, an assistant;
Bristol, an assistant;
Essex, an assistant, a second assistant, a third assistant, a fourth assistant and a fifth assistant;
Hampden, an assistant, a second assistant and, subject to the approval of the county commissioners, a third assistant;
Middlesex, an assistant, a second assistant, a third assistant, a fourth assistant and a fifth assistant;
Norfolk, an assistant;
Plymouth, an assistant;
Suffolk, an assistant of the supreme judicial court;
Worcester, an assistant, a second assistant, a third assistant and a fourth assistant.

Assistant clerks of courts.

Assistant clerks of courts except in Suffolk county shall act as assistant clerks of the supreme judicial court, the superior court and the county commissioners.

The fifth assistant clerk of courts for the county of Middlesex shall keep reasonable daily office hours, on days other than Sundays and holidays, at the office of the clerk of courts for said county in the county court house in the city of Lowell.

SECTION 2. This act shall take effect upon its acceptance during the current year by the county commissioners of the county of Middlesex.

Effective date.

Approved April 1, 1937.

Chap.159 AN ACT TO ENABLE THE CITY OF BOSTON TO SECURE THE BENEFITS OF CERTAIN ACTS AND JOINT RESOLUTIONS OF THE CONGRESS OF THE UNITED STATES FOR CARRYING OUT A CERTAIN SUBWAY PROJECT IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Wherever in Part II of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-three reference is made to the National Industrial Recovery Act or any title or part thereof, such reference shall be deemed and held to refer also, and in the alternative, to any and all acts and joint resolutions of the Congress of the United States enacted during nineteen hundred and thirty-five or nineteen hundred and thirty-six or thereafter authorizing grants or use of federal money for public projects.

SECTION 2. This act shall take full effect only upon its acceptance both by vote of the city council of the city of Boston, approved by the mayor, and by the Boston Elevated Railway Company by vote of its board of directors, and upon the filing of certificates of such acceptances with the state secretary, provided that such acceptances, approval and filing occur during the current year.

Approved April 1, 1937.

Chap.160 AN ACT PROVIDING FOR AN EXTENSION OF THE PERIOD WITHIN WHICH THE CITY OF BOSTON MAY BORROW MONEY FOR AIRPORT PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter two hundred and seventy-one of the acts of nineteen hundred and thirty-one is hereby amended by striking out, in the fifth line, the word "two" and inserting in place thereof the word: — seven, — so as to read as follows: — *Section 1.* For the purpose of improving, extending and developing the Boston airport, so-called, in the East Boston district of the city of Boston, said city is hereby authorized to borrow, outside the statutory limit of indebtedness, from time to time within a period of seven years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one million two hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Boston Airport Improvement Loan, Act of 1931. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates. Except as herein provided, indebtedness incurred under this act shall be subject to the laws relative to the incurring of debt by said city.

SECTION 2. Debt incurred by the city of Boston, after the effective date of this act, for the purposes provided in section one of said chapter two hundred and seventy-one, as

amended by section one of this act shall, except that the same shall be outside the statutory limit of indebtedness, be subject to the provisions, applicable to the city of Boston, of chapter forty-four of the General Laws, as amended, exclusive of the limitation contained in the first paragraph of section seven thereof, anything in the provisions of section one of said chapter two hundred and seventy-one, as amended, to the contrary notwithstanding.

SECTION 3. This act shall take effect upon its acceptance during the current year by vote of the city council of the city of Boston, subject to the provisions of its charter, but not otherwise.

Approved April 1, 1937.

AN ACT AUTHORIZING THE SOCIETY OF ST. MARY OF THE PEACE TO CHANGE THE LOCATION OF ITS PLACE OF BUSINESS FROM WALTHAM TO WATERTOWN. Chap.161

Be it enacted, etc., as follows:

The Society of St. Mary of the Peace, a fraternal benefit society incorporated under chapter one hundred and seventy-six of the General Laws, may, with the approval of the commissioner of insurance, change the location of its place of business from the city of Waltham to the town of Watertown. Upon such approval, the presiding, financial and recording officers and a majority of the directors of said corporation shall file in the office of the state secretary a certificate, with the approval of said commissioner endorsed thereon, setting forth the change in location as aforesaid. The state secretary shall cause such certificate to be filed in his office.

Approved April 1, 1937.

AN ACT LIBERALIZING THE PROVISIONS OF LAW RELATIVE TO ABSENT VOTING. Chap.162

Be it enacted, etc., as follows:

SECTION 1. Section ninety-two of chapter fifty-four of the General Laws, as amended by section four of chapter four hundred and four of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out, in the tenth and in the thirtieth lines, the words "two municipalities" and inserting in place thereof, in each instance, the words: — one municipality, — so as to read as follows: —
Section 92. A voter who has received an official absent voting ballot as provided in section eighty-nine may vote by mailing the same to the city or town clerk, or, if on the day of the biennial state election he will be on the high seas in the prosecution of the business of fishing or as a mariner, by delivering the same to such clerk. He shall mark said ballot in the presence of an official authorized by law to administer oaths, and of no other person, in a municipality which is separated by at least one municipality from the city or town where the voter is registered, or, if on the day

G. L. (Ter. Ed.), 54, § 92, etc., amended.

Method of voting.

of the biennial state election he will be on the high seas in the prosecution of the business of fishing or as a mariner, he may mark said ballot in the presence of the city or town clerk, and of no other person, in the municipality wherein he is registered. Before marking the ballot he shall exhibit it to said official, who shall satisfy himself that it is unmarked, but he shall not allow said official to see how he marks it. Said official shall hold no communication with the voter, nor he with said official, as to how he is to vote. Thereafter the voter shall enclose and seal the same in the proper envelope provided for by clause (c) of section eighty-seven. He shall then execute before said official the necessary affidavit on said envelope as set forth in said clause (c), and shall enclose and seal the envelope with the ballot in the envelope provided for in clause (d) of said section, endorse thereon his name, address and voting place, and mail the same within the time prescribed in the following section, postage prepaid, at a post office in a municipality which is separated by at least one municipality from the city or town wherein the voter is registered, or, if on the day of the biennial state election he will be on the high seas in the prosecution of the business of fishing or as a mariner, may deliver the same within the time so prescribed to the clerk of the municipality wherein he is registered.

G. L. (Ter. Ed.), 54, § 87, etc., amended.

SECTION 2. The first affidavit appearing in subsection (c) of section eighty-seven of said chapter fifty-four, as amended by section two of said chapter four hundred and four, is hereby amended by striking out, in the fifth line, the words "are at least two municipalities" and inserting in place thereof the words:— is at least one municipality,— so as to read as follows:—

Affidavit,
form of.

State of _____,
County of _____, ss.

I, _____, do solemnly swear that I am a registered voter in the city or town of _____, Massachusetts, in precinct _____, ward _____, that there is at least one municipality intervening between the municipality in which I am a registered voter and the place where I now am; that I have carefully read the instructions forwarded to me with the ballot herein enclosed, and that I have marked, enclosed and sealed the within ballot as stated hereon by the person taking my oath.

(Signature)

Subscribed and sworn to before me by the above affiant, personally known to me, this _____ day of _____, 19____, in the city or town of _____, state of _____, and I hereby certify that when I was alone with the affiant he showed me the ballot herein enclosed, unmarked, and then in my presence marked the same without my seeing how he marked it, after which he sealed said ballot in this envelope. I had no communication with the affiant as to how he was to vote.

(Seal, if any) _____
Name _____
Residence _____
Official title or military or naval rank _____

Approved April 1, 1937.

AN ACT RELATIVE TO PAYMENTS UNDER THE BOSTON RETIREMENT ACT FOR INCAPACITY OR DEATH OCCASIONED BY AN ACCIDENT OR BY UNDERGOING A HAZARD PECULIAR TO THE MEMBER'S EMPLOYMENT. *Chap. 163*

Be it enacted, etc., as follows:

SECTION 1. Chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two is hereby amended by striking out section thirteen and inserting in place thereof the following: — *Section 13.* If the retirement board, upon application by a member or by a person acting in his behalf or by the head of the department in which such member is employed, or, in the case of heads of departments, by the mayor, and upon receipt of proper proofs, finds that such member is totally and permanently incapacitated for duty as the natural and proximate result of an accident or of undergoing a hazard peculiar to his employment, in the performance and within the scope of his duty, at some definite time and place, without contributory negligence on his part, and that such accident occurred or hazard was undergone not more than two years prior to said application, or, if more than two years prior to said application, was reported in writing to the retirement board by the member or in his behalf within ninety days after it occurred or was undergone, and that such member should be retired, and if the medical board, after an examination of such member, shall find that such member is totally and permanently incapacitated for further performance of duty as the natural and proximate result of such accident or of undergoing such hazard, such member shall be retired for accidental disability.

SECTION 2. Said chapter five hundred and twenty-one is hereby further amended by striking out the first paragraph of section fifteen and inserting in place thereof the following: — If a member is killed or dies or a beneficiary retired for accidental disability who has not taken an option under section seventeen dies and the retirement board, upon application by the head of the department in which the member or beneficiary was employed or of a person acting in behalf of the legal representative or dependents of the member or beneficiary, and upon receipt of proper proofs, finds that such death was the natural and proximate result of an accident or of undergoing a hazard peculiar to his employment, in the performance and within the scope of his duty, at some definite time and place, without contributory negligence on his part, and that such accident occurred or hazard was undergone not more than two years prior to the date of death or that, in the case of one who was a member at the time of his death, such accident occurred or hazard was undergone more than two years prior to the date of death but was reported in writing to the retirement board by the member or in his behalf within ninety days after it occurred or was undergone, and if the medical board shall find that the death

was the natural and proximate result of such accident or of undergoing such hazard, an accidental death benefit shall be granted by the retirement board. Such accidental death benefit shall consist of:

SECTION 3. This act shall take effect upon its acceptance during the current year by vote of the city council of the city of Boston, subject to the provisions of its charter.

Approved April 1, 1937.

Chap.164 AN ACT RELATIVE TO EXPENDITURES BY THE TOWN OF BOURNE FOR MUNICIPAL ADVERTISING PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Bourne may annually appropriate a sum, not exceeding fifteen hundred dollars, for the purpose of advertising the advantages of the town, with special reference to its facilities for summer vacation, recreation, seashore, residential and small manufacturing purposes; provided, that as to each such appropriation a sum equal to the amount thereof shall previously have been contributed by public subscription or by donation and paid into the town treasury to be expended for the aforesaid purposes. The money so appropriated by the town and so raised by subscription or donation shall be expended under the direction of the selectmen.

SECTION 2. This act shall take full effect upon its acceptance by said town within three years after its passage.

Approved April 1, 1937.

Chap.165 AN ACT PERMITTING RECIPIENTS OF OLD AGE ASSISTANCE, SO CALLED, TO LEAVE THE COMMONWEALTH WITHOUT SUSPENSION OF SUCH ASSISTANCE.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 118A, new section 6A, added.

Leave of absence without suspension of benefits.

Chapter one hundred and eighteen A of the General Laws is hereby amended by inserting after section six, as appearing in section one of chapter four hundred and thirty-six of the acts of nineteen hundred and thirty-six, the following new section: — *Section 6A*. Any person receiving assistance under this chapter may be absent from the commonwealth for not exceeding thirty days in any year without having such assistance suspended; provided, that such person, before his departure from the commonwealth and following his return thereto, notifies the bureau of old age assistance of the town granting such assistance.

Approved April 1, 1937.

AN ACT TO INCORPORATE THE BOARD OF HOME MISSIONS OF THE CONGREGATIONAL AND CHRISTIAN CHURCHES. *Chap. 166*

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Thomas P. Alder of New Jersey, John C. Blackman of Wyoming, William C. Boulton of New York, Ronald Bridges of Maine, Irene K. Brown of California, Charles W. Case of New York, Raymond G. Clark of Ohio, Robert W. Coe of Massachusetts, Edward W. Cross of New York, Edith M. Dabb of New York, William F. Frazier of Connecticut, Philip E. Gregory of Minnesota, Joel W. Harper of Washington, Elbert A. Harvey of Massachusetts, Alfred H. Hauser of New Jersey, Margaret G. Hayes of New York, Jacob L. Hirning of Illinois, Harding R. Hogan of Wisconsin, Martha A. Horning of Kansas, Mary W. Jewett of New York, Caesar S. Ledbetter of South Carolina, Oscar E. Maurer of Connecticut, Kate K. Newman of Pennsylvania, William W. Patton of New Jersey, Mary C. Peters of Connecticut, Warren W. Pickett of Michigan, Josabel L. Read of Iowa, Hibbard Richter of Massachusetts, Louise G. Rounds of New Jersey, Fred W. Rust of Massachusetts, Helen C. Ryerson of New York, Katherine T. Schroeder of Maine, Theodore M. Shipherd of Connecticut, Harley H. Short of Indiana, H. Shelton Smith of North Carolina, Robert S. Smith of Connecticut, Philip S. Suffern of New Jersey, Chester A. Thomas of Pennsylvania, Laura H. Wild of Massachusetts and Percy R. Ziegler of Massachusetts, together with such others as may be hereafter associated with or succeed them, are hereby constituted a body corporate by the name of The Board of Home Missions of the Congregational and Christian Churches, hereinafter called the corporation hereby created.

SECTION 2. The objects of the corporation hereby created shall be exclusively charitable, educational and literary, as follows:

First: To conduct missionary and educational operations, and diffuse a knowledge of the Holy Scriptures, in the United States and in other countries, and promote Christian civilization by endowing, assisting or establishing academic, collegiate, or theological institutions of learning therein, and assisting persons of either sex seeking an education.

Second: To establish, aid and promote churches, Sunday schools, Bible schools and kindred institutions, either directly or through other corporations having similar objects in the United States and in other countries.

Third: To promote the building of meeting-houses, parsonages and other buildings by the Congregational and Christian churches of the United States and its possessions.

Fourth: To secure, hold, manage and distribute funds for the relief of needy Congregational and Christian ministers and the needy families of deceased Congregational and Christian ministers, in accordance with resolutions and declarations adopted or made, from time to time, by the General Council of the Congregational and Christian Churches of the United States, or by any body which may succeed to the present functions of that council.

Fifth: To publish, purchase, sell, circulate and distribute, in such manner as they shall deem expedient, any and all publications, books, tracts, papers or periodicals, calculated to promote good morals and pure Christianity and the spread and extension of the gospel of Jesus Christ.

Sixth: And in general to extend the gospel and the means of Christian education, and to do and promote charitable and Christian work for the advancement of the general interests of the Congregational and Christian churches in the United States and elsewhere; and the corporation hereby created may co-operate with any other societies or agencies under the charge and control of churches of the Congregational and Christian order in the United States.

SECTION 3. The corporation hereby created shall have power to take over, carry on and/or conduct (a) the work or any part of the work now or heretofore carried on by The American Missionary Association, a corporation existing under the laws of the state of New York and incorporated under chapter three hundred and fifty-eight of the laws of eighteen hundred and sixty-two, as amended by chapter seven hundred and ninety-six of the laws of eighteen hundred and seventy-one, chapter fifty-two of the laws of eighteen hundred and eighty-six, chapter three hundred and ninety-five of the laws of eighteen hundred and eighty-nine, chapter three hundred and forty-one of the laws of nineteen hundred and seventeen, (b) the work or any part of the work now or heretofore carried on by the Congregational Church Building Society, a corporation existing under the laws of the state of New York and incorporated under an "Act for the Incorporation of Benevolent, Charitable, and Missionary Societies" — April twelfth, eighteen hundred and forty-eight, whose charter was amended by chapter three of the laws of eighteen hundred and seventy-one, which corporation was allowed to assume its name at present used by an order of the supreme court of the state of New York, entered on the ninth day of May, eighteen hundred and ninety-two, (c) the work or any part of the work now or heretofore carried on by The Congregational Home Missionary Society, a corporation existing under the laws of the state of New York and incorporated under chapter twenty-one of the laws of eighteen hundred and seventy-one, as amended by chapter fifty-three of the laws of eighteen hundred and ninety, chap-

ter seventy-six of the laws of eighteen hundred and ninety-three, chapter four hundred and ninety-eight of the laws of eighteen hundred and ninety-six and chapter four hundred and thirty-seven of the laws of eighteen hundred and ninety-nine, (d) the work or any part of the work now or heretofore carried on by The Congregational Sunday School Extension Society, a corporation existing under the laws of the state of New York and incorporated under the Membership Corporations Law under a charter bearing date December nineteenth, nineteen hundred and seventeen, (e) the work or any part of the work now or heretofore carried on by the Congregational Education Society, a corporation existing under the laws of the commonwealth of Massachusetts, under chapter sixty-one of the acts of eighteen hundred and sixteen, chapter eighty-three of the acts of eighteen hundred and nineteen, chapter two hundred and eighty-five of the acts of eighteen hundred and seventy-two, chapter fifty-eight of the acts of eighteen hundred and seventy-four, chapter one hundred and twenty of the acts of eighteen hundred and ninety-three, chapter eighty-one of the acts of eighteen hundred and ninety-four and chapter one hundred and forty-three of the acts of nineteen hundred and seven, (f) the work or any part of the work now or heretofore carried on by the Congregational Publishing Society, a corporation existing under the laws of the commonwealth of Massachusetts under the provisions of chapter twenty-nine of the acts of eighteen hundred and forty-one, chapter seventy-eight of the acts of eighteen hundred and fifty, chapter eight of the acts of eighteen hundred and fifty-four, chapter thirty-one of the acts of eighteen hundred and fifty-seven, chapter forty-three of the acts of eighteen hundred and sixty-eight, chapter two hundred and seventy-two of the acts of eighteen hundred and seventy and chapter nineteen of the acts of eighteen hundred and eighty-three, (g) the work or any part of the work now or heretofore carried on by The Congregational Board of Ministerial Relief, a corporation incorporated by and existing under the laws of the general assembly of the state of Connecticut, and the laws of that assembly passed at the session in January, eighteen hundred and eighty-five, which charter was amended at said assembly under dates of May twenty-fifth, eighteen hundred and ninety-three, March twenty-seventh, nineteen hundred and seven, and May twenty-fourth, nineteen hundred and thirty-three; and, if said General Council of the Congregational and Christian Churches, or a successor body, shall hereafter so recommend, may take over, acquire and become possessed of and invested with all, or any part, of the property and assets now owned, possessed, held and/or administered by the said The American Missionary Association, the Congregational Church Building Society, The Congregational Home Missionary Society, The Congregational Sunday School Extension Society, the Congregational Education Society, the Congregational Publishing Society

and The Congregational Board of Ministerial Relief, expressly subject as to all said property and assets of the said societies, and each of them, and as to each and every part of said property and assets, to all and every the terms, conditions, stipulations, restrictions, reservations and provisions, of any and all wills, trusts, gifts, grants and contracts relating to or in anywise affecting the property and assets, so far as the same are now, or may become subject to or affected thereby, which shall be strictly and completely observed, fulfilled, discharged and complied with by the corporation hereby created, when and after, and from time to time as, it shall have duly acquired and become possessed of such property and assets; provided, that nothing herein contained shall authorize the corporation hereby created to engage in any activity not embraced within the objects of said corporation as set out in section two of this act or to take over or hold any property for any purpose not within the scope of said objects. Notwithstanding such conveyances and transfers to the corporation hereby created all and singular the obligations of the said corporations so conveying their property shall remain in full force and the corporation hereby created shall be liable upon all contracts made by each of said conveying corporations to the extent of the value of the property applicable to the discharge of its obligations, received from such conveying corporation.

SECTION 4. The corporation hereby created is hereby authorized to accept and receive the assignment, transfer, conveyance, setting over and delivery of all or any portion of the property, estates and rights of any and every description held or enjoyed, or which may hereafter be held or enjoyed by said The American Missionary Association, the Congregational Church Building Society, The Congregational Home Missionary Society, The Congregational Sunday School Extension Society, the Congregational Education Society, the Congregational Publishing Society and The Congregational Board of Ministerial Relief, or any of said corporations, or to which they now are or any of them now is or they or any of them may hereafter become entitled, by virtue of any grant, gift, bequest or devise or otherwise, howsoever, and in respect of any and all such property, estates and rights if and when, and from time to time as, the same are assigned, transferred, conveyed, set over and delivered to it by said corporations respectively, shall have, hold, use and enjoy the same corporate powers, franchises, and privileges as those which in respect thereof are now held, used and enjoyed by said corporations respectively; and the corporation hereby created shall have, hold, use and enjoy all the property, estates and rights which may be so assigned, transferred, conveyed, set over and delivered by said corporations respectively in the same manner and to the same extent as such last mentioned corporations might respectively have done, and shall be entitled to receive, sue for and recover all legacies, devises, bequests,

gifts, and property which have heretofore been or may hereafter be made or given to said corporations, or any of them, if and when, and from time to time as, the same are by them respectively so assigned, transferred, conveyed, set over and delivered; provided, and it is hereby expressly declared, that the corporation hereby created shall receive and hold said property, estates and rights, legacies, devises, bequests and gifts, upon the same respective trusts, and for the same respective uses and purposes only, as the same are or otherwise would be held by the respective corporations by which the same may be so assigned, transferred, conveyed, set over and delivered to it; and provided, further, that nothing herein contained shall authorize the corporation hereby created to receive or hold property which is subject to any limitation or condition not consistent with the objects of said corporation as set out in said section two of this act.

SECTION 5. In addition to the properties and assets of the corporations, other than the corporation hereby created, mentioned in the preceding sections of this act, which the corporation hereby created is hereby authorized and empowered to acquire, become possessed of and administer, the corporation hereby created shall have the power and authority in law to take, receive, accept, purchase or otherwise acquire, hold, properly administer and dispose of property, real and/or personal, of any and every kind, which at any time and from time to time may be given, devised, bequeathed, conveyed, sold, transferred, assigned, set over or delivered to it in connection with, or for, or in furtherance of, the purposes and objects to be served and accomplished by its creation or any of them, in so far as the same may be properly asserted and exercised by it, and may not be inconsistent with the constitution and laws of the commonwealth of Massachusetts, and in accordance with the terms, conditions, stipulations, restrictions, reservations and provisions of any and all wills, trusts, gifts, grants and contracts, relating to or affecting any of the properties, real or personal, of which it may become possessed.

SECTION 6. Persons other than those named in section one of this act may be admitted to membership in the corporation hereby created, either in addition to the persons so named or in succession to them, in such manner and upon such conditions as its by-laws may prescribe. Its business and affairs shall be managed and conducted by a board of directors, hereinafter referred to as the board, consisting of forty members of said corporation. Until their successors are elected in such manner as may be prescribed by the by-laws, the persons named in said section one shall constitute the board.

SECTION 7. The board may annually elect from its members an executive committee of not less than fifteen. Said executive committee shall possess and exercise all such powers and functions of the board as shall be from time to time

delegated to it by the board. The work of the board shall be conducted by and through such organization, with such administrative officers, who need not be members of the board, as the board may from time to time provide. The board shall meet at least annually at such place, within or without the commonwealth of Massachusetts, as it may determine.

SECTION 8. The corporation hereby created may hold real and personal estate in any amount, which estate or its income shall be devoted to the purposes set forth in this act, or in any amendment thereof.

SECTION 9. The principal office of the corporation hereby created shall be at the city of Boston, but its annual or special meetings may be held within or without the commonwealth of Massachusetts. *Approved April 6, 1937.*

Chap. 167 AN ACT RELATIVE TO THE HUNTING OF QUAIL IN NANTUCKET COUNTY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 131, § 85, etc., amended.

Section eighty-five of chapter one hundred and thirty-one of the General Laws, as most recently amended by chapter thirteen of the acts of nineteen hundred and thirty-five, is hereby further amended by striking out, in the sixth line, the words "Hampden, Hampshire or Nantucket" and inserting in place thereof the following:—Hampden or Hampshire, — so as to read as follows:—*Section 85.* Except as provided in section seventy-eight, no person, except between the twentieth of October and the twentieth of November, both inclusive, shall hunt a quail, nor shall any person hunt a quail at any time in Berkshire, Essex, Franklin, Hampden or Hampshire county.

Close season on quail.

Approved April 6, 1937.

Chap. 168 AN ACT PROVIDING A PENALTY FOR THEFT OF FISH OR LOBSTERS WHILE IN STORAGE AND INCREASING THE PENALTY FOR CERTAIN OTHER THEFTS THEREOF.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 130, § 23, etc., amended.

Section twenty-three of chapter one hundred and thirty of the General Laws, as appearing in section two of chapter three hundred and twenty-nine of the acts of nineteen hundred and thirty-three, is hereby amended by inserting after the word "lobsters" in the second line the words:—or from any contrivance used for the purpose of storing fish or lobsters, — by striking out, in the fourth line, the words "or seine" and inserting in place thereof the words:—, seine or other contrivance, — by striking out, in the fifth line, the word "twenty" and inserting in place thereof the words:—one hundred, — and by striking out, in the sixth line, the word "fifty" and inserting in place thereof the words:—three hundred, — so as to read as follows:—*Section 23.* Whoever takes any fish or lobster from a trap, trawl or seine set for catching fish or lobsters or from any contrivance used

Penalty for taking fish, etc., from traps.

for the purpose of storing fish or lobsters, without the consent of the owner thereof, and whoever wilfully molests or interferes with such trap, trawl, seine or other contrivance, shall be punished by a fine of not less than one hundred nor more than three hundred dollars or by imprisonment for two months, or both.

Approved April 6, 1937.

AN ACT AUTHORIZING THE CENTERVILLE-OSTERVILLE FIRE DISTRICT TO SUPPLY ITSELF AND ITS INHABITANTS WITH WATER.

Chap. 169

Be it enacted, etc., as follows:

SECTION 1. The Centerville-Osterville Fire District in the town of Barnstable may supply itself and its inhabitants with water for the extinguishment of fires and for domestic and other purposes; may establish fountains and hydrants, relocate or discontinue the same, and may regulate the use of such water and fix and collect rates to be paid for the use of the same.

SECTION 2. For the purposes aforesaid, said district, acting by and through its board of water commissioners hereinafter provided for, may contract with any municipality, acting through its water department, or with any water company, or with any water district, for whatever water may be required, authority to furnish the same being hereby granted, and may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by lease, purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, spring or stream, or of any ground sources, by means of driven, artesian or other wells, or filter galleries, within the limits of said district, not already appropriated for purposes of public water supply, and the water rights connected with any such water sources; and also for said purposes may take as aforesaid, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and treating such water and protecting and preserving the purity thereof and for conveying the same to any part of said district; provided, that no source of water supply and no lands necessary for protecting and preserving the purity of the water shall be taken or used without first obtaining the advice and approval of the state department of public health, and that the location and arrangement of all dams, reservoirs, wells or filter galleries, filtration and pumping plants or other works necessary in carrying out the provisions of this act shall be subject to the approval of said department. Said district may construct and maintain on the lands acquired and held under this act proper dams, wells, reservoirs, pumping plants, buildings, standpipes, tanks, fixtures and other structures, including also the establishment and maintenance of filter beds and purification works or systems which shall be subject to the approval of said department of public health, and may make excavations,

procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct pipe lines, wells and reservoirs and establish pumping works, and may construct, lay, acquire and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways, and public or other ways, and along such ways in said district in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, said district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that all things done upon any such way shall be subject to the direction of the selectmen of the town of Barnstable. Said district may enter upon any lands for the purpose of making surveys, test pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

SECTION 2A. If said Centerville-Osterville Fire District at any time, without the written assent and agreement of the Barnstable Water Company, lays, installs or uses water pipes or mains for supplying water anywhere within one thousand feet of any water pipes or mains then actually laid, installed or used by said Barnstable Water Company, for supplying water within that portion of said district that lies east and north of Bump's river, then in such event said district shall thereupon take over and acquire by purchase or by the exercise of the right of eminent domain all the water pipes, mains and other structures, easements and property of said Barnstable Water Company laid, constructed, owned and maintained within the limits of said district, and shall pay for the same the actual cost thereof to the said company plus the amount, if any, by which the said company has failed to earn a net return on such actual cost at the rate of five per cent per annum from March first, nineteen hundred and thirty-seven, to the date of such purchase or taking, computed and based upon a proper and equitable allocation of revenue and earnings of the said company. In case said district and said company shall be unable to agree upon the actual cost of said property, the amount shall be determined upon application of either party, in the manner provided in section twelve of chapter two hundred and eighty-six of the acts of nineteen hundred and eleven, and acts in addition thereto and in amendment thereof. Interest at the rate of six per cent shall be included in any award from the date of the taking or purchase.

SECTION 3. The land, water rights and other property taken or acquired under this act, and all works, buildings

and other structures erected or constructed thereunder, shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district.

SECTION 4. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from said district under said chapter seventy-nine, but the right to damages for the taking of any water, water source or water right, or for any injury thereto, shall not vest until the water is actually withdrawn or diverted by said district under authority of this act.

SECTION 5. For the purpose of paying the necessary expenses and liabilities incurred or to be incurred for the system of water supply under the provisions of this act, other than expenses of maintenance and operation, said district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Centerville-Osterville Fire District Water Loan, Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

SECTION 6. Said district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with the provisions of section five; and when a vote to that effect has been passed a sum which, with the income derived from the water rates, will be sufficient to pay the annual expense of operating its water works or the purchasing of water, as the case may be, and the maintenance of its pipe lines, and the interest as it accrues on the bonds or notes issued as aforesaid, and to make such payments on the principal as may be required under this act, shall without further vote be assessed upon said district by the assessors of the town of Barnstable annually thereafter in the same manner as other taxes, until the debt incurred by the said loan or loans is extinguished.

SECTION 7. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any dam, well, reservoir, pumping or filtration plant, building, standpipe, tank, fixture or other structure, or other property owned, held or used by said district under authority and for the purposes of this act, shall forfeit and pay to said district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any one of the above wilful or wanton acts shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year.

SECTION 8. Said district shall, after its acceptance of this act, either at the same meeting at which it is accepted or at a meeting thereafter called for the purpose, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the date of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual district meeting subsequent to such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. All the authority granted to said district by this act, except sections five and six and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as said district may impose by its vote. A majority of said commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said district at any annual or special meeting called for the purpose. Any such vacancy may be filled temporarily in the manner provided by section eleven of chapter forty-one of the General Laws, and the person so appointed shall perform the duties of the office until the next annual meeting of said district or until another person is qualified.

SECTION 9. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest, charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges it may be appropriated for such new construction as the water commissioners, with the approval of the district, may determine upon, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. All authority vested in said commissioners by the foregoing provisions of this section shall be subject to the provisions of section eight. Said commissioners shall annually, and as often as said district may require, render a report upon the condition of the works under their charge and an account of their doings, including an account of receipts and expenditures.

SECTION 10. No money shall be drawn from the treasury of said district to pay any expense, or to discharge any liability incurred on account, of its system of water supply unless and until such payment is approved in writing by a majority of the board of water commissioners and by a majority of the prudential committee of said district.

SECTION 11. This act shall take full effect upon its acceptance by a majority vote of the voters of the said Centerville-Osterville Fire District present and voting thereon

at a district meeting called for the purpose within three years after its passage; but the number of meetings so called in any one year shall not exceed three.

Approved April 6, 1937.

AN ACT RELATIVE TO PAYMENT OF DIVIDENDS ON DEPOSITS IN
CLOSED BANKS TO CERTAIN MINORS AND TO NEXT OF KIN
OF CERTAIN DECEASED PERSONS.

Chap. 170

Be it enacted, etc., as follows:

Chapter one hundred and sixty-seven of the General Laws is hereby amended by striking out section thirty-one A, inserted by chapter two hundred and seventy-seven of the acts of nineteen hundred and thirty-three, and inserting in place thereof the following: — *Section 31A.* In the case of a deposit standing in the name of a minor having no known guardian, the commissioner, in his discretion if the amount of the deposit does not exceed five hundred dollars, or with the approval of the supreme judicial court for the county in which the principal office of the bank involved was situated, whether or not the amount of the deposit exceeds five hundred dollars, may make any dividend payment, payable under section thirty-one on account of such deposit, to such minor or either of his parents, and in either case such payment shall be a valid discharge to the same extent as if made to the legal representative of such minor. In the case of a deposit standing in the name of a decedent after whose death sixty days have elapsed, if no petition for the allowance of his will or for the administration of his estate has been filed, the commissioner, in his discretion if the amount of the deposit does not exceed five hundred dollars, may make any dividend payment, payable under said section thirty-one on account of such deposit, to the person or persons whom he finds entitled thereto, or the commissioner, with the approval of the supreme judicial court for the county in which the principal office of the bank involved was situated, whether or not the amount of the deposit exceeds five hundred dollars, may make any dividend payment, payable under said section thirty-one on account of such deposit, to the person or persons whom the court finds entitled thereto, and in either case such payment shall be a valid discharge to the same extent as if made to the legal representative of the decedent.

G. L. (Ter.
Ed.), 167,
§ 31A, etc.,
amended.

Commissioner
of banks may
pay dividends
on deposits
in closed banks
to certain
persons.

Approved April 6, 1937.

AN ACT PROVIDING FOR THE FUNDING BY THE CITY OF NEW
BEDFORD OF TAX ABATEMENTS.

Chap. 171

Be it enacted, etc., as follows:

SECTION 1. The city of New Bedford, for the purposes set forth in section two of this act, may issue from time to time bonds or notes to an amount not exceeding, in the aggregate, four hundred thousand dollars, which shall bear on

their face the words, City of New Bedford Tax Funding Loan, Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. The amounts borrowed under authority of this act shall be used only for the purpose of meeting so much of the abatements, made and to be made, of taxes which were assessed in the years nineteen hundred and twenty-nine to nineteen hundred and thirty-five, inclusive, as is in excess of the amounts of the overlays provided for such abatements.

Approved April 6, 1937.

Chap. 172 AN ACT RELATIVE TO THE HUNTING OR POSSESSION OF RABBITS IN NANTUCKET COUNTY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 131, § 94, etc., amended.

Hunting, etc., of hares and rabbits, regulated.

Section ninety-four of chapter one hundred and thirty-one of the General Laws, as amended by chapter one hundred and eighty-three of the acts of nineteen hundred and thirty-four, is hereby further amended by inserting after the word "rabbits", the third time such word occurs in the eleventh line, the following:—, or in Nantucket county more than two rabbits,— so as to read as follows:— *Section 94.* No person, otherwise than as provided in section ninety-six, shall hunt or have in possession the carcass of a hare or rabbit, except between November twentieth and the last day of February, both inclusive, in Nantucket county, or between November fifteenth and February fifteenth, both inclusive, in Dukes county, or between October twentieth and February fifteenth, both inclusive, in any other county, or during such open seasons kill or have in possession the carcasses of more than two northern varying hares, otherwise known as Canada hares, snow-shoe rabbits or white rabbits, or more than five rabbits, or in Nantucket county more than two rabbits, in any one day. This section shall not apply to European hares in the county of Berkshire, which may be taken or killed at any time.

Approved April 7, 1937.

Chap. 173 AN ACT PROVIDING FOR THE CONSTRUCTION OF AN UNDERPASS IN COMMONWEALTH AVENUE AT OR NEAR ITS INTERSECTION WITH MASSACHUSETTS AVENUE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Subject to the provisions contained in section five of this act, the city of Boston, hereinafter called the city, acting through the transit department of said city,

hereinafter called the department, is hereby authorized to construct an underpass for vehicular traffic in Commonwealth avenue at or near its intersection with Massachusetts avenue in said city, with such connecting roadways and alterations to existing roadways and parkways in said city as the department may deem necessary, and to make necessary alterations to street railway tracks.

SECTION 2. For the purpose of carrying out the provisions of this act, the department may use public lands, ways and parkways without compensation therefor, and may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, for and on behalf of the city, lands in fee, and easements, estates and rights in land; and such taking in fee or otherwise may be made whether the lands taken or otherwise affected are held under or by title derived through eminent domain or otherwise, and may be made for the purpose of providing locations for pipes, wires, conduits and other structures, the relocation of which is made necessary or expedient by the construction of the underpass authorized by this act. Any person sustaining damage by reason of property or rights in property taken under authority of this act, except public lands, ways or parkways which may be taken and used without compensation as hereinbefore provided, shall be entitled to recover therefor from the city under said chapter seventy-nine. The members of the department shall not be liable personally for any such damage.

SECTION 3. To meet the cost to the city of the underpass, which shall include all expenses of the city incurred in constructing the same and all connecting roadways, and alterations to existing parkways and roadways, and all land damages, expenses of the department, such proportions of the salaries of the department as may, in its opinion, be properly chargeable thereto and all interest on money borrowed for the purposes of this act accruing prior to the use of the said underpass, the treasurer of said city, with the approval of the mayor of said city, may, from time to time, issue and sell at public or private sale bonds of the city to an amount sufficient to provide funds for the payment of said cost but not exceeding the sum of two hundred thousand dollars, which bonds shall bear on their face the words, City of Boston, Commonwealth Avenue Underpass Loan, Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Indebtedness incurred hereunder shall be outside the statutory limit of indebtedness and shall, except as herein provided, be subject to the provisions, applicable to the city of Boston, of chapter forty-four of the General Laws, as amended, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 4. The department may order the temporary removal or relocation of any surface tracks, and the tempo-

rary or permanent removal or relocation of any conduits, pipes, wires, poles, or other property located in public ways or places, which it deems to interfere with the laying-out or construction of the underpass authorized by this act, and shall grant new locations for any such structures so removed or relocated. Such orders, to the extent specified therein, shall be deemed a revocation of the right or license to maintain such tracks, conduits, pipes, wires, poles or other property in such public ways or places, and the owner of any such structures in public ways or lands shall comply with such orders without expense to the city. If any owner shall fail to comply with the order of the department within a reasonable time, to be fixed in the order, the department may discontinue and remove such tracks, conduits, pipes, wires, poles or other property, and may relocate the same, and the cost of such discontinuance, removal or relocation shall be repaid to the city by the owner. No such discontinuance, removal or relocation shall entitle the owner of the property thus affected to any damages on account thereof. Any gas or electric lighting company shall shut off the gas or current from any pipes or wires affected by any acts done hereunder, so far and for such time as may be necessary to prevent the escape or explosion of gas, or other public danger. Said underpass, when completed, shall be under the control of the park department of said city.

SECTION 5. This act shall take effect only upon its acceptance by the city council of the city of Boston subject to the provisions of the charter of said city and upon approval by the proper federal authorities of a works progress administration project for the construction of the underpass hereby authorized or the making or approval of an allotment, allocation or grant of federal funds therefor under the joint resolution of Congress, known as the emergency relief appropriation act of 1935, or under any act or joint resolution of Congress enacted during nineteen hundred and thirty-six or nineteen hundred and thirty-seven, authorizing the expenditure or use of federal money for public projects; provided, that such allotment, allocation or grant of federal funds is of an amount approved by said mayor.

Approved April 7, 1937.

Chap.174 AN ACT PROVIDING FOR THE ELIMINATION OF THE TIME LIMIT ON CONSOLIDATING CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 170, § 50, etc., amended.

Section fifty of chapter one hundred and seventy of the General Laws, as most recently amended by chapter fifty-four of the acts of nineteen hundred and thirty-five, is hereby further amended by striking out, in the first and second lines, the words "At any time prior to June first, nineteen hundred and thirty-seven, any" and inserting in

place thereof the word:—Any,—so that the first paragraph will read as follows:—Any two or more such corporations may consolidate into a single corporation, upon such terms as shall have been agreed upon by vote of two thirds of the board of directors of each corporation and as shall have been approved in writing by the commissioner, provided such action is approved at a special meeting of the shareholders of each corporation called for that purpose, by a vote of at least two thirds of those shareholders present, qualified to vote, and voting. Notice of such special meeting, setting forth the terms agreed upon, shall be sent by the clerk of each corporation to each shareholder thereof by mail, postage prepaid, at least thirty days before the date of the meeting. Notice of the meeting shall also be advertised three times in one or more newspapers published in each town in which the main office of any of said corporations is situated, and if there be no such newspaper, then in a newspaper published in the county where the town is situated, the last publication to be at least one day before the meeting. A certificate under the hands of the presidents and clerks of all such corporations, setting forth that each of said corporations has complied with all the requirements of this section, shall be submitted to the commissioner, who, if he shall approve such consolidation, shall endorse his approval upon such certificate, and thereupon such consolidation shall become effective. Upon consolidation of any such corporation with another, as herein provided:

Consolidation
of co-operative
banks.

Approved April 7, 1937.

AN ACT AUTHORIZING THE TRUSTEES OF THE MASSACHUSETTS HOSPITAL SCHOOL TO CONVEY CERTAIN LAND IN THE TOWN OF CANTON.

Chap. 175

Be it enacted, etc., as follows:

The trustees of the Massachusetts Hospital School, on behalf of the commonwealth, are hereby authorized and directed to convey by a sufficient deed, approved as to its form by the attorney general, to Edward B. and Charles V. Reynolds of Canton, in consideration of one dollar, a certain parcel of land in the town of Canton shown on a plan on file in the office of the county engineer of Norfolk county, entitled "Plan of Land in Canton, Mass. Oct. 24, 1933. Hartley L. White, County Engineer. Scale 1 inch=80 feet.", being located on the northwesterly side of the new location of Randolph street in said town and containing approximately four thousand nine hundred square feet of land, in exchange for certain land to be conveyed by deed to the commonwealth, for purposes of such school, by said Edward B. and Charles V. Reynolds, shown on said plan, containing approximately two thousand one hundred square feet of land and located on the southeasterly side of the line of said new location of Randolph street.

Said trustees, on behalf of the commonwealth, are hereby further authorized and directed, in consideration of one dollar, to convey by a sufficient deed, approved as to its form by the attorney general, to the town of Canton, for highway purposes in connection with the new location of Randolph street in said town, so much of the land of the commonwealth not within the present location of said Randolph street as is included within the lines of the new location of said Randolph street as shown on a plan on file in the office of said county engineer entitled "Plan of Land to be conveyed by the Commonwealth of Massachusetts to the Town of Canton for Highway Purposes. Scale 100 feet=1 inch. Oct. 24, 1933. Hartley L. White, County Engineer." *Approved April 7, 1937.*

Chap. 176 AN ACT RELATIVE TO THE MANUFACTURE AND SALE OF ARTICLES OF UPHOLSTERED FURNITURE FILLED WITH GARNETTED CLIPPINGS, SO CALLED.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 94, § 270, amended.

Section two hundred and seventy of chapter ninety-four of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following new paragraph: —

"Garnetted clippings" defined.

Notwithstanding any provision of this section or of section one, an article of upholstered furniture filled with material known as garnetted clippings need not be marked "second hand", and may be marked "manufactured of new material", if such garnetted clippings are composed wholly of material that has been produced in the manufacture of other articles and has never otherwise been in actual use.

Approved April 7, 1937.

Chap. 177 AN ACT RELATIVE TO THE TERM OF LICENSES FOR DEALING IN METHYL OR WOOD ALCOHOL, SO CALLED, AND CERTAIN PREPARATIONS CONTAINING SUCH ALCOHOL, AND TO THE LABELLING OF THE SAME.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 94, § 303B, etc., amended.

SECTION 1. Section three hundred and three B of chapter ninety-four of the General Laws, inserted by section three of chapter three hundred and seventy-two of the acts of nineteen hundred and thirty-four, is hereby amended by striking out, in the tenth line, the words "on the thirty-first day of December following" and inserting in place thereof the words: — twelve calendar months from the date of issue, — so as to read as follows: — *Section 303B.* The board of health of a town may issue to properly qualified persons licenses to engage therein in the business described in section three hundred and three A. The fee for such a license shall be one dollar, which shall be paid into the town treasury. The department of public health may issue licenses to such per-

Licenses for sale of methyl or wood alcohol, issuance of, fee.

sons to engage in such business anywhere within the commonwealth upon payment of a fee of ten dollars, which shall be paid into the state treasury. All licenses issued under this section shall expire twelve calendar months from the date of issue, and may at any time be suspended or revoked, for cause, by the issuing authority. Such authority shall keep a record of all licenses granted, suspended or revoked by it.

SECTION 2. Said chapter ninety-four is hereby further amended by striking out section three hundred and three C, inserted as aforesaid, and inserting in place thereof the following:— *Section 303C.* Every barrel, keg, bottle or other container containing methyl alcohol or wood alcohol, so called, or any drug or medicine intended for external use containing methyl alcohol shall bear in capital letters not less than three eighths nor more than one and one half inches in height, stencilled or printed thereon, the words "POISON, NOT FOR INTERNAL USE", or shall bear a label which shall include the word "POISON" and which shall conform to regulations prescribed by the department of public health, authority to prescribe such regulations and to amend or annul the same being hereby granted to said department. Whoever, himself or by his servant or agent, sells, exchanges or delivers any such alcohol, drug or medicine in any container not conforming to this section shall be punished by a fine of not less than fifty nor more than two hundred dollars.

G. L. (Ter. Ed.), 94, § 303C, etc., amended.

Containers to be marked.

Approved April 7, 1937.

AN ACT RELATIVE TO THE CONSTRUCTION BY THE METROPOLITAN DISTRICT COMMISSION OF A BEACH AT THE LOCATION OF THE PROPOSED PUBLIC BATH HOUSE ON THE CHARLES RIVER IN THE TOWN OF WATERTOWN.

Chap. 178

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

In carrying out the purposes of chapter three hundred and thirty-one of the acts of nineteen hundred and thirty-six, providing for the construction and maintenance by the metropolitan district commission of a public bath house and incidental improvements on the Charles river in the town of Watertown, said commission is hereby authorized and directed to proceed forthwith with the construction of a beach at the location on said river specified in said chapter and may award a separate contract for said work. The cost of the work authorized by this act shall be paid from funds available for the purposes of said chapter and shall be apportioned as therein provided.

Approved April 8, 1937.

*Chap.*179 AN ACT ESTABLISHING THE MANCHAUG WATER DISTRICT OF SUTTON.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Sutton, liable to taxation in said town and residing within the territory comprised within the following boundaries, to wit: Beginning at a point in the town boundary between Sutton and Douglas on the easterly line of Main street in the village of Manchaug; thence running northeasterly by said boundary one half mile; thence running northwesterly to a point on the center line of Whitins avenue, said point being three quarters of a mile by the center line of Whitins avenue easterly from the center line of Main street; thence northwesterly to a point; thence running due west one half mile to a point in the center line of Main street in the center of the northerly culvert leading from Upper Tucker pond to Lower Tucker pond; thence continuing due west one half mile; thence running southeasterly to a point in said boundary between Sutton and Douglas; and thence running northeasterly by said boundary three quarters of a mile to the point of beginning, shall constitute a water district, and are hereby made a body corporate by the name of the Manchaug Water District of Sutton, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, to assess and raise taxes as provided herein for the payment of such services, and to defray the necessary expenses of carrying on the business of said district, but subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. Said district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. For the purposes aforesaid, the district, acting by and through its board of water commissioners hereinafter provided for, may contract with any municipality, acting through its water department, or with any water company, or with any other water district, for whatever water may be required, authority to furnish the same being hereby granted, and may enter into such other contracts as may be necessary for the purposes set forth in section one of this act and may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by lease, purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, spring or stream, or of any ground sources of supply by means of driven, artesian or other wells, within said town of Sutton, not already appropriated for the purposes of a public water supply, and the water rights connected with any such water sources; and for said purposes

may take as aforesaid, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding, purifying and preserving the purity of the water and for conveying the same to any part of said district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the state department of public health, and that the location and arrangement of all dams, reservoirs, wells, pumping and filtration plants and such other works as may be necessary in carrying out the provisions of this act shall be subject to the approval of said department. The district may construct on the lands acquired and held under this act proper dams, wells, reservoirs, standpipes, tanks, pumping plants, buildings, fixtures and other structures, including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct pipe lines, wells and reservoirs and establish pumping works, and may construct, lay, acquire and maintain aqueducts, conduits, pipes and other works under or over any land, water courses, railroads, railways and public or other ways, and along such ways, in said town, in such manner as not unnecessarily to obstruct the same; and for the purposes of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, the district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that all things done upon any such way shall be subject to the direction of the selectmen of said town. The district shall not enter upon, or construct or lay any aqueduct, conduit, pipe or other works within, the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. Said district may enter upon any lands for the purpose of making surveys, test pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

SECTION 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from the district under said chapter seventy-nine; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under this act, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, seventy-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Manchaug Water District of Sutton Loan, Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws, pertaining to such districts.

SECTION 5. The district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section four; and, when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under the provisions of this act, shall without further vote be assessed upon the district by the assessors of said town annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 6. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district. All authority vested in said board by this section shall be subject to the provisions of section nine.

SECTION 7. Whenever a tax is duly voted by the district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town, who shall assess the same in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of water supply under this act if, in the judgment of the board of water commissioners hereinafter provided for, after a hearing, such estate is so situated that it can receive no aid in the extinguishment of fire from the said system of water supply, or receive no benefit in fire insurance grading therefrom, or both, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be supplied in any ordinary or reasonable manner with water from the said system; but all other estates in the district shall be deemed to be benefited and shall be subject to such tax. A certified list of the estates exempt from taxation under the provisions of this section shall annually be sent by said board of water commissioners to said assessors, at the same time at which the clerk shall send a certified copy of the vote as aforesaid. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided

by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 8. The first meeting of the voters of the territory included within the boundaries set forth in section one shall be called, on petition of ten or more legal voters therein, by a warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. After the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall thereupon take effect, and the meeting may then proceed to act on the other articles in the warrant.

SECTION 9. The district shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act is accepted or at a special meeting thereafter called for the purpose, three persons, resident taxpayers of the district, to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the day of the next succeeding annual district meeting, to constitute a board of water commissioners, and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. All the authority granted to the district by this act, except sections four and five, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said commissioners are first elected and at each annual district meeting held thereafter the district shall elect by ballot a treasurer of the district, who shall not be a water commissioner thereof, and who shall give bond to the district in such an amount as may be approved by said commissioners. A majority of said commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by the district at any legal meeting called for the purpose. No money shall be drawn from the treasury of the district on account of its water works except upon a written order of said commissioners or a majority of them.

SECTION 10. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water

works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. Said commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

SECTION 11. The district may adopt by-laws prescribing by whom and how meetings of the district may be called, notified and conducted; and, upon the application of ten or more legal voters in the district, meetings may also be called by warrant as provided in section eight. The district may also establish rules and regulations for the management of its water works, not inconsistent with this act or with law, and may choose such other officers not provided for in this act as it may deem necessary or proper.

SECTION 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, stand-pipe, aqueduct, pipe or other property owned or used by the district for any of the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above acts shall be punished by a fine of not more than one hundred dollars or by imprisonment in jail for not more than one year.

SECTION 13. Upon a petition in writing addressed to said commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on said district and not otherwise served by a public water supply be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, said commissioners shall cause a duly warned meeting of the district to be called, at which meeting the voters may vote on the question of including said real estate within the district. If a majority of the voters present and voting thereon vote in the affirmative the district clerk shall within ten days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote; and thereupon said real estate shall become and be part of the district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

SECTION 14. This act shall take full effect upon its acceptance by a majority vote of the voters of the district present and voting thereon at a district meeting called, in

accordance with the provisions of section eight, within three years after its passage; but the number of meetings so called in any one year shall not exceed three.

Approved April 8, 1937.

AN ACT TO MODIFY THE LAWS CONCERNING MORTGAGE INVESTMENTS BY SAVINGS BANKS.

Chap. 180

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section fifty-four of chapter one hundred and sixty-eight of the General Laws is hereby amended by striking out clause First, as amended by section twenty-two of chapter three hundred and thirty-four of the acts of nineteen hundred and thirty-three, and inserting in place thereof the following: —

G. L. (Ter.
Ed.), 168, § 54,
etc., amended.

First. In first mortgages of real estate located in the commonwealth but not more than seventy per cent of the whole amount of deposits shall be so invested. No loan on mortgage shall be made except upon written application showing the date, name of applicant, amount asked for and security offered, nor except upon the report of not less than two members of the board of investment who shall certify on said application, according to their best judgment, the value of premises to be mortgaged; and such application shall be filed and preserved with the records of the corporation. All loans secured by first mortgages of real estate shall be subject to the following restrictions: —

Mortgage
investments
of savings
banks.

Limits.

(a) A loan secured by a first mortgage of real estate located in the commonwealth, except real estate referred to in subdivision (b) hereof, may be made on demand or for a period not extending beyond three years from the date of the note and shall not exceed sixty per cent of the value of the premises to be mortgaged.

(b) A loan secured by a first mortgage of unimproved and unproductive real estate located in the commonwealth may be made on demand or for a period not extending beyond thirty years from the date of the note and shall not exceed forty per cent of the value of the premises to be mortgaged.

(c) Not later than three years after the date of the note, as provided by subdivisions (a) and (b) hereof, not less than two members of the board of investment shall certify in writing, according to their best judgment, the value of the premises mortgaged; and the premises shall be revalued in the same manner at intervals of not more than three years so long as they are mortgaged to such corporation. Such report shall be filed and preserved with the records of the corporation. If at the time a revaluation is made, the amount loaned is in excess of sixty per cent, or, in the case of unimproved and unproductive real estate, in excess of

forty per cent, of the value of the premises mortgaged, a sufficient reduction in the amount of the loan shall be required, as promptly as may be practicable, to bring the loan within sixty per cent, or, in the case of unimproved and unproductive real estate, within forty per cent of the value of said premises.

(d) A loan secured by a first mortgage of real estate located in the commonwealth, except real estate referred to in subsection (b) hereof, not exceeding sixty per cent of the value of the premises to be mortgaged, may be made for a period extending beyond three years but not exceeding twenty years from the date of the note, provided the terms of such note shall require payments on the loan to be made in quarterly installments, at intervals not exceeding three months, such payments to commence not later than three months after the date of the note, and to be in amounts aggregating annually not less than two per cent of the original amount of the loan.

(e) A loan secured by a first mortgage of real estate located in the commonwealth, except real estate referred to in subsection (b) hereof, not exceeding seventy per cent of the value of the premises to be mortgaged, may be made for a period extending beyond three years but not exceeding twenty years from the date of the note, provided the terms of the note shall require payments on the loan to be made in quarterly installments, at intervals not exceeding three months, such payments to commence not later than three months after the date of the note, and to be in amounts aggregating annually not less than three per cent of the original amount of the loan. No loan under this subsection shall be made for a sum in excess of twenty-five thousand dollars.

(f) Not later than three years after the date of the note, as provided by subdivisions (d) and (e) hereof, not less than two members of the board of investment shall certify in writing, according to their best judgment, the value of the premises mortgaged; and the premises shall be revalued in the same manner at intervals of not more than three years so long as they are mortgaged to such corporation. Such report shall be filed and preserved with the records of the corporation.

Whenever the commissioner deems an excessive loan has been made, or is about to be made upon real estate, he may cause an appraisal of said real estate to be made at the expense of the bank making the loan. One appraiser shall be named by the commissioner, one by the bank making the loan, and a third by the two thus named. Said appraisers shall determine the value of said real estate and certify the same in writing to the commissioner and to the bank. If it shall appear from said appraisal that said loan is in excess of the amount allowed by this clause, the commissioner may make such order in relation thereto as he deems advisable.

Approved April 9, 1937.

AN ACT AUTHORIZING TEMPORARY BORROWING BY THE CITY OF BOSTON TO PROVIDE FUNDS TO MEET IN PART THE COST OF PROVIDING CERTAIN ADDITIONAL ACCOMMODATIONS AND FACILITIES FOR THE COURTS AND OTHER OFFICIALS IN THE COUNTY OF SUFFOLK, IN ANTICIPATION OF PAYMENTS BY THE STATE AND FEDERAL GOVERNMENT. Chap. 181

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience. Emergency preamble.

Be it enacted, etc., as follows:

For the purpose of providing necessary funds to meet in part the cost of the additional court house accommodations and facilities, including furnishings and equipment, authorized by chapter four hundred and seventy-four of the acts of nineteen hundred and thirty-five, in anticipation of the receipt by the commission established by section one of said chapter, hereinafter called the commission, of the proceeds of such funds as shall have been allotted, or of any grant approved, by the federal government to the commission under any agreement with the federal government relating thereto, the city of Boston may, from time to time, at the request of the commission, place at its disposal such funds as may be needed to an amount not exceeding the amount of the allotment or grant as shown by such agreement, and for this purpose the treasurer of said city, with the approval of the mayor of said city, may incur debt, outside the debt limit, to an amount not exceeding, in the aggregate, such sums as shall have been so allotted, or the amount of the grant that shall have been so approved, by the federal government under such agreement, and may issue notes therefor payable in not more than one year from their dates; and the proceeds of such allotment or of such grant, so far as necessary, shall be applied by said commission to repay to said city such sums as shall have been placed at its disposal, under the provisions of this paragraph, which sums, when so repaid to said city, shall, so far as necessary, be applied to the discharge of the loan made under this paragraph.

For the purposes of providing necessary funds to meet in part the aforesaid cost authorized by said chapter, in anticipation of the receipt by the commission of the contribution from the commonwealth to pay its share of the expenditures authorized by said chapter the city of Boston may, from time to time at the request of the commission, also place at its disposal such funds as may be needed to an amount not exceeding the amount of the commonwealth's share of the expenditures so authorized, and for this purpose the treasurer of said city, with the approval of the mayor of said city, may incur debt, outside the debt limit, to an amount not exceeding, in the aggregate, the amount of the commonwealth's share of the expenditures so authorized, and may

issue notes therefor payable in not more than one year from their dates; and the money paid by the commonwealth to meet its share of such expenditures, so far as necessary, shall be applied by said commission to repay to said city such sums as shall have been so placed at its disposal under the provisions of this paragraph, which sums, when so repaid to said city, shall, so far as necessary, be applied to the discharge of the loan made under this paragraph.

Approved April 9, 1937.

Chap.182 AN ACT PROHIBITING THE USE OF BEAM OR OTTER TRAWLS IN TAKING FISH FROM SWAN POND RIVER, AT THE MOUTH THEREOF OR IN THE PONDS OR STREAMS CONNECTED THEREWITH IN THE TOWN OF DENNIS.

Be it enacted, etc., as follows:

SECTION 1. Whoever uses beam or otter trawls to drag for fish in Swan Pond river, at the mouth thereof or in the ponds or streams connected therewith in the town of Dennis shall be punished by a fine of not more than twenty dollars.

SECTION 2. This act shall take effect upon its passage.

Approved April 9, 1937.

Chap.183 AN ACT PROVIDING THAT CERTAIN EXPENSES OF THE LAND COURT BE PAID BY THE COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 185, § 1, etc., amended.

SECTION 1. Section one of chapter one hundred and eighty-five of the General Laws, as most recently amended by section five of chapter three hundred and eighteen of the acts of nineteen hundred and thirty-five, is hereby further amended by striking out the paragraph contained in lines forty-four to fifty, inclusive, as appearing in the Tercenary Edition, and inserting in place thereof the following: —

Land court, sittings of.

The court shall hold its sittings in Boston, but may adjourn from time to time to such other places as public convenience may require. In Suffolk county, the city council of Boston, and in other counties, the county commissioners, shall provide suitable rooms for the sittings of said court in the same building with, or convenient to, the probate court or the registry of deeds.

Effective date.

SECTION 2. This act shall take effect on October first in the current year.

Approved April 9, 1937.

Chap.184 AN ACT MAKING EFFECTIVE THROUGHOUT THE COMMONWEALTH THE LAW RELATIVE TO THE REGISTRATION OF BARBERS AND THE PRACTICE OF BARBERING.

Be it enacted, etc., as follows:

Section seven of chapter four hundred and eighteen of the acts of nineteen hundred and thirty-one is hereby repealed.

Approved April 9, 1937.

AN ACT AUTHORIZING MUNICIPALITIES TO APPROPRIATE MONEY FOR EYEGLASSES AND SPECTACLES FOR NEEDY SCHOOL CHILDREN.

*Chap.*185

Be it enacted, etc., as follows:

Section five of chapter forty of the General Laws is hereby amended by inserting after paragraph (39), inserted by chapter twenty-eight of the acts of nineteen hundred and thirty-five the following new paragraph: —

G. L. (Ter. Ed.), 40, § 5, etc., amended.

(40) To provide eyeglasses and spectacles for school children eighteen years of age or under who are in need thereof and whose parents or guardians are financially unable to furnish the same. Money so appropriated shall be expended under the direction of the mayor and city council of a city and the selectmen of a town.

Towns, etc., may provide eyeglasses, etc., for school children.

Approved April 9, 1937.

AN ACT RELATIVE TO FIXING THE COMPENSATION OF PROBATION OFFICERS APPOINTED FOR THE BOSTON JUVENILE COURT AND THE DISTRICT COURTS IN SUFFOLK COUNTY OTHER THAN THE MUNICIPAL COURT OF THE CITY OF BOSTON.

*Chap.*186

Be it enacted, etc., as follows:

Section eighty-three of chapter two hundred and seventy-six of the General Laws, as amended by chapter three hundred and sixty of the acts of nineteen hundred and thirty-six, is hereby further amended by inserting after the word "or" in the fifteenth line the words: — by the justice of, — by inserting after the word "court" the first time it occurs in the twenty-seventh line the words: — ; in each other district court in Suffolk county and in the Boston juvenile court, the justice thereof, subject to the approval of the administrative committee of the district courts, shall fix the compensation for each probation officer appointed for such court, — and by striking out, in the twenty-seventh and twenty-eighth lines, the words "and in the Boston juvenile court", — so as to read as follows: — *Section 83.* The superior court, the chief justice of the municipal court of the city of Boston, subject to the approval of the associate justices thereof, and the justice of each other district court, with the written approval of the administrative committee of the district courts, who shall consult the board of probation relative thereto, and the justice of the Boston juvenile court may appoint such male and female probation officers as they may respectively from time to time deem necessary for their respective courts; and if there is more than one probation officer in one court, one of such officers may be designated as chief probation officer. All officers so appointed shall be removable for cause by the court making the appointment; provided, that no officer appointed by a justice of a district court other than the

G. L. (Ter. Ed.), 276, § 83, etc., amended.

Probation officers, appointment, salary.

municipal court of the city of Boston or by the justice of the Boston juvenile court shall be removed or discharged from office unless such removal or discharge shall be approved in writing by the administrative committee of the district courts after consultation with the board of probation relative thereto. The compensation of each probation officer appointed by the superior court shall be fixed by that court and by it apportioned from time to time among the counties wherein said officer performs his duties. In the municipal court of the city of Boston, the chief justice of said court, subject to the approval of the associate justices thereof, shall fix the compensation of each probation officer appointed for such court; in each other district court in Suffolk county and in the Boston juvenile court, the justice thereof, subject to the approval of the administrative committee of the district courts, shall fix the compensation for each probation officer appointed for such court; and in each other district court, the justice thereof, subject to the approval of the county commissioners, shall fix the compensation of each probation officer appointed for such court; and such compensation shall be paid by the county on vouchers approved respectively by the chief justice of the municipal court of the city of Boston or by the justice of such other district court or juvenile court.

Approved April 9, 1937.

Chap. 187 AN ACT AUTHORIZING THE TOWN OF SHUTESBURY TO USE ALL OR ANY PART OF CENTRE CEMETERY AND A CERTAIN WAY IN SAID TOWN FOR SCHOOL AND SCHOOL YARD PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Shutesbury, by its vote, may discontinue the use for cemetery purposes of the whole or any part of a certain tract of land therein known as Centre Cemetery, owned by said town and used from time immemorial as a cemetery after complying with the provisions of section two, may discontinue a certain way extending from the Leverett road, so called, to said cemetery, and may thereafter use said cemetery or part thereof, as the case may be, and said way for school and school yard purposes; and said cemetery or part thereof and said way, according to said vote, shall thereafter be under the same care and control as other school property.

SECTION 2. Said town, at its expense, shall exhume and re-inter in other suitable burial places the remains of such bodies interred in said cemetery or said part thereof, as the case may be, as have not been removed therefrom by relatives or friends of the deceased within a period of three months after the last publication of the notice hereinafter provided for, and shall remove all headstones and other monuments standing, after the expiration of said period,

in said cemetery or in said part thereof, and, in a suitable manner, replace the same at or over the graves in the new burial places so that the remains of the bodies re-interred therein shall be indicated as they were in said cemetery or in said part thereof. Such notice shall be given by the town by publishing a copy of this act once a week for three successive weeks in a newspaper published in Franklin county and also by mailing, postage prepaid, before the last publication as aforesaid, such a copy to each known relative of any deceased person whose remains are to be exhumed and re-interred under authority hereof.

SECTION 3. This act shall be submitted to the voters of said town at its annual town meeting to be held in the year nineteen hundred and thirty-eight; and, if accepted by a majority of the voters present and voting thereon, sections one and two of this act shall thereupon take full effect, but not otherwise.

Approved April 9, 1937.

AN ACT REDUCING THE ENTRY FEE FOR SUPPLEMENTARY PROCEEDINGS IN CIVIL ACTIONS. Chap.188

Be it enacted, etc., as follows:

Section four of chapter two hundred and sixty-two of the General Laws, as appearing in the Tercenary Edition, is hereby amended by striking out, in the eighteenth line, the words "three dollars" and inserting in place thereof the words: — one dollar, — so that the seventh paragraph will read as follows: — Upon the commencement of supplementary proceedings under chapter two hundred and twenty-four there shall be paid to the clerk an entry fee of one dollar. The entry fee and the fees of witnesses and officers shall be allowed the creditor as costs. The plaintiff or creditor making affidavit to the court as provided in section two or six of said chapter shall pay a fee of one dollar, which fee, together with any sums paid under section twelve of said chapter shall be taxed in the plaintiff's or creditor's costs. The only other fees under said chapter, except as provided in section nine of said chapter and except those of officers, shall be payable in advance by the defendant or debtor as follows: —

G. L. (Ter. Ed.), 262, § 4, amended.

Certain fees of clerks of courts.

Approved April 9, 1937.

AN ACT RELATIVE TO THE PURCHASE OF UNIFORMS FOR THE SERGEANT-AT-ARMS, DOORKEEPERS, ASSISTANT DOORKEEPERS, GENERAL COURT OFFICERS AND PAGES OF THE GENERAL COURT. Chap.189

Be it enacted, etc., as follows:

Chapter three of the General Laws is hereby amended by inserting after section twenty, as appearing in the Tercenary Edition, the following new section: — *Section 20A.* Subject to such annual appropriation as may be made for the purpose, the sergeant-at-arms may purchase at the ex-

G. L. (Ter. Ed.), 3, new section 20A, added.

Uniforms for officers of the general court.

pense of the commonwealth such uniforms for himself, the doorkeepers, assistant doorkeepers, general court officers and pages as he may determine. *Approved April 9, 1937.*

*Chap.*190 AN ACT RELATIVE TO THE SALARIES OF THE PRINCIPAL ASSESSORS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter ninety-three of the Special Acts of nineteen hundred and eighteen, as most recently amended by section one of chapter one hundred of the acts of nineteen hundred and twenty-eight, is hereby further amended by striking out, in the fourteenth line, the word "five" and inserting in place thereof the word: — six, — so as to read as follows: — *Section 2.* The mayor of the city shall appoint, and may at any time remove, in accordance with the provisions of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, three assessors to hold office for terms of one, two, and three years, respectively, beginning with the first day of April in the current year. As the term of each assessor expires, the mayor in like manner shall appoint his successor for a term of three years from the first day of April in the year of appointment. The mayor shall also fill any vacancy for the unexpired term. The mayor shall designate the chairman of the board who shall receive an annual salary of seventy-five hundred dollars; the two other members of the board shall each receive an annual salary of six thousand dollars.

SECTION 2. This act shall take full effect upon its acceptance during the current year by vote of the city council of the city of Boston, subject to the provisions of its charter, but not otherwise. *Approved April 9, 1937.*

*Chap.*191 AN ACT AUTHORIZING THE ISSUANCE TO CERTAIN OFFICIALS OF CERTAIN OTHER STATES OF COMPLIMENTARY CERTIFICATES ENTITLING THEM TO HUNT AND FISH IN THIS COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 131, § 5, etc., amended.

Licenses to fish and hunt.

SECTION 1. Section five of chapter one hundred and thirty-one of the General Laws, as most recently amended by section one of chapter two hundred and fourteen of the acts of nineteen hundred and thirty-three, is hereby further amended by inserting after the word "section" in the first line the following: — eight B, — so as to read as follows: — *Section 5.* Except as provided in section eight B, ninety-one, ninety-two, ninety-six, ninety-nine or one hundred and eight, no person shall hunt any bird or mammal, and no person, unless he is under fifteen years of age, shall fish, except as hereinafter provided, in any of the inland waters of the commonwealth, and no person shall use, set, tend or maintain any trap, or take or attempt to take any mammal

by means thereof, without first having obtained a sporting, hunting, fishing or trapping license, or a special fox-hunting license issued under section eight A, as the case may be, authorizing him so to do, as provided in the four following sections; provided, that nothing in sections five to twelve, inclusive, shall be construed as affecting in any way the general laws relating to trespass, or as authorizing the hunting, or the possession of, birds or mammals, contrary to law, or the taking of fish, or the possession thereof, contrary to law. But said last mentioned sections shall not prohibit any person who is a legal resident of the commonwealth or any member of his immediate family, residing on land owned or leased by him, from hunting or trapping on such land or from fishing in any inland waters bordered by such land; provided, that he is or they are actually domiciled thereon, and that the land is used exclusively for agricultural purposes, and not for club, shooting or fishing purposes; and provided, further, that the burden of proof shall rest upon the person claiming such exemptions to show that he is entitled thereto.

SECTION 2. Said chapter one hundred and thirty-one is hereby further amended by inserting after section eight A, inserted by section two of said chapter two hundred and fourteen, the following new section: — *Section 8B.* An executive or administrative public official of any state granting similar privileges to such an officer of this commonwealth may hunt any bird or mammal or may fish in any of the inland waters of the commonwealth if he holds a special complimentary certificate entitling him so to do, which certificate the director, with the approval of the governor and the commissioner, is hereby authorized to issue, and the holder of such certificate shall have the same rights and privileges and be subject to the same duties as if he held a sporting license.

Approved April 9, 1937.

G. L. (Ter. Ed.), 131, new section 8B, added.

Complimentary certificates.

AN ACT RELATIVE TO THE APPOINTMENT OF THE ADJUTANT GENERAL AND OF CERTAIN OFFICERS OF THE MASSACHUSETTS NATIONAL GUARD.

Chap. 192

Be it enacted, etc., as follows:

SECTION 1. Section twenty-two of chapter thirty-three of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the paragraph appearing in the third line and inserting in place thereof the following: —

One adjutant general with the grade of brigadier general, who shall be appointed from those persons who are, or who previously have been, active commissioned officers of the Massachusetts National Guard with a grade not lower than that of lieutenant colonel.

SECTION 2. Section ninety of said chapter thirty-three is hereby amended by striking out paragraph (k), as most

G. L. (Ter. Ed.), 33, § 22, amended.

Adjutant general, appointment.

G. L. (Ter. Ed.), 33, § 90, amended.

Officers, ap-
pointment of.

recently amended by chapter one hundred and six of the acts of nineteen hundred and thirty-four, and inserting in place thereof the following: —

(k) A major general commanding a division shall be appointed by the commander-in-chief from the brigadier generals who are in command of the several brigades of such division, or who within a period of two years have been in command of such brigades and have had active service for at least two years as brigadier generals.

A brigadier general commanding an infantry brigade shall be appointed by the commander-in-chief, upon recommendation of the division commander, from the colonels who are in command of the several infantry regiments of the division, or who within a period of two years have been in command of such regiments and have had active service for at least two years as such colonels.

A brigadier general commanding an artillery brigade shall be appointed by the commander-in-chief, upon recommendation of the division commander, from the colonels who are in command of the several artillery regiments of such brigade, or who within a period of two years have been in command of such regiments and have had active service for at least two years as such colonels.

Regimental and separate unit commanders shall be appointed by the commander-in-chief from the officers of said respective regiments and units, upon the recommendation of superior commanders, if any.

All other officers of the line shall be appointed by the commander-in-chief, upon the recommendation of regimental or separate unit commanders, approved by superior commanders.

Departmental officers shall be appointed by the commander-in-chief, upon the recommendation of the chief of the department in which the appointment is to be made; provided, that if such an officer is to be assigned or detailed to an organization the appointment shall be upon the recommendation of its commander.

All commissioned officers of the land forces shall be selected from the eligible officers' list provided for in this section. Chiefs of departments shall be appointed by the commander-in-chief from said list.

Approved April 10, 1937.

Chap.193 AN ACT AUTHORIZING THE CITY OF LYNN TO PAY AN ANNUITY TO THE WIDOW OF ROGER DWYER.

Be it enacted, etc., as follows:

SECTION 1. The city of Lynn shall have the same authority to pay an annuity under the provisions of section eighty-nine of chapter thirty-two of the General Laws, as most recently amended by chapter three hundred and twenty-six of the acts of nineteen hundred and thirty-six, to the

widow of Roger Dwyer, who died on October twelfth, nineteen hundred and twenty-eight, from injuries received on July second, nineteen hundred and nineteen, while in the performance of duty as a member of its police department, as though the injuries causing the death of said Dwyer had been received after January first, nineteen hundred and thirty.

SECTION 2. This act shall take full effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter.

Approved April 12, 1937.

AN ACT AUTHORIZING THE TEMPORARY REINSTATEMENT, FOR PURPOSES OF RETIREMENT ONLY, OF J. EDGAR THOMPSON AS A MEMBER OF THE FIRE DEPARTMENT OF THE CITY OF SOMERVILLE.

Chap.194

Be it enacted, etc., as follows:

SECTION 1. J. Edgar Thompson, a former member of the fire department of the city of Somerville may be reinstated in said department without examination; provided, that such reinstatement shall be for the sole purpose of retiring him under the provisions of section eighty of chapter thirty-two of the General Laws or any other pertinent provision of said chapter.

SECTION 2. This act shall take full effect upon its acceptance by the mayor and board of aldermen of said city, in accordance with the provisions of its charter, but not otherwise.

Approved April 12, 1937.

AN ACT CHANGING THE NAME OF THE EDISON ELECTRIC ILLUMINATING COMPANY OF BROCKTON TO BROCKTON EDISON COMPANY.

Chap.195

Be it enacted, etc., as follows:

The name of The Edison Electric Illuminating Company of Brockton, a corporation incorporated under general law on March twenty-second, eighteen hundred and eighty-three, is hereby changed to Brockton Edison Company.

Approved April 13, 1937.

AN ACT RELATIVE TO THE DISCLOSURE BY MUNICIPALITIES OR OFFICERS THEREOF OF THE NAMES OF RECIPIENTS OF STATE AID, MILITARY AID OR SOLDIERS' RELIEF.

Chap.196

Be it enacted, etc., as follows:

Chapter forty of the General Laws is hereby amended by striking out section fifty-one, as appearing in the Tercenary Edition, and inserting in place thereof the following:—
Section 51. No town or officer thereof shall publish in any report for general distribution to the public or to its citizens the names of persons assisted in any way by the board of

G. L. (Ter. Ed.), 40, § 51, amended.

Names of persons receiving aid not to be published.

public welfare of the town or publish or disclose in any manner to others than officers of any city, town or other governmental agency or the duly authorized agents of such officers the names of any persons residing in such town who received aid under chapter one hundred and fifteen, except that a duly incorporated charitable corporation shall be informed, upon its request, as to whether or not any designated person has received aid under said chapter one hundred and fifteen.

Approved April 13, 1937.

Chap.197 AN ACT RELATIVE TO THE USE OF LAKE COCHITUATE IN THE TOWN OF NATICK FOR BOATING AND FISHING.

Be it enacted, etc., as follows:

SECTION 1. Subject to such reasonable regulations as may be made by the metropolitan district commission, it shall be lawful for any inhabitant of the town of Natick to enter any boat or canoe, or go in any boat or canoe, or to fish therefrom, in or upon the waters of so much of Lake Cochituate in the town of Natick as lies south of Worcester street until such time as said waters are used for water supply purposes of the metropolitan water district as authorized by law.

SECTION 2. Any person violating any regulation made under section one shall be punished by a fine of not more than twenty dollars, and may be suspended from the right to boat or fish as aforesaid for such time as said commission may deem reasonable and just.

Approved April 13, 1937.

Chap.198 AN ACT AUTHORIZING THE CITY OF BOSTON TO PAY A CERTAIN SUM OF MONEY TO THE WIDOW OF RICHARD D. GLEASON.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, the city of Boston may pay to the widow of Richard D. Gleason, who served faithfully and conscientiously as a member of the city council of said city, a sum of money equal to the balance of the salary to which he would have been entitled had he lived and continued to serve until the end of the term for which he was elected as city councillor.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved April 13, 1937.

Chap.199 AN ACT RELATIVE TO CERTAIN FIREARMS THE SERIAL OR IDENTIFICATION NUMBERS OF WHICH HAVE BEEN REMOVED, DEFACED, ALTERED, OBLITERATED OR MUTILATED.

Be it enacted, etc., as follows:

Chapter two hundred and sixty-nine of the General Laws is hereby amended by inserting after section eleven, as

appearing in the Tercenary Edition, under the heading TAMPERING WITH IDENTIFYING NUMBERS OF CERTAIN FIRE-ARMS, the four following new sections: — *Section 11A.* For the purposes of this section and sections eleven B, eleven C and eleven D, the following words shall have the following meanings: —

“Firearm”, a firearm as defined in section one hundred and twenty-one of chapter one hundred and forty, or a rifle or shotgun. Definitions.

“Serial number”, the number stamped or placed upon a firearm by the manufacturer in the original process of manufacture.

“Identification number”, the number stamped or placed upon a firearm by the commissioner of public safety under authority of section eleven D.

Section 11B. Whoever, while in the commission or attempted commission of a felony, has in his possession or under his control a firearm the serial number or identification number of which has been removed, defaced, altered, obliterated or mutilated in any manner shall be punished by imprisonment in the state prison for not less than two and one half nor more than five years, or in a jail or house of correction for not less than six months nor more than two and one half years. Penalty for possession of firearms illegally defaced, etc.

Section 11C. Whoever, by himself or another, removes, defaces, alters, obliterates or mutilates in any manner the serial number or identification number of a firearm, or in any way participates therein, and whoever receives a firearm with knowledge that its serial number or identification number has been removed, defaced, altered, obliterated or mutilated in any manner, shall be punished by a fine of not more than two hundred dollars or by imprisonment for not less than one month nor more than two and one half years. Possession or control of a firearm the serial number or identification number of which has been removed, defaced, altered, obliterated or mutilated in any manner shall be prima facie evidence that the person having such possession or control is guilty of a violation of this section; but such prima facie evidence may be rebutted by evidence that such person had no knowledge whatever that such number had been removed, defaced, altered, obliterated or mutilated, or by evidence that he had no guilty knowledge thereof and that prior to his prosecution on the charge of a violation of this section he presented such weapon to the commissioner of public safety and requested said commissioner to stamp or place an identification number thereon. Penalty for removing, etc., serial numbers

Section 11D. The commissioner of public safety, upon request of the lawful owner of a firearm having no serial number and no identification number, or having a serial number which is not as stamped or placed thereon by its manufacturer and having no identification number, or the identification number of which is not as stamped or placed thereon by the commissioner under authority hereof, as the Identification number issued by commissioner.

case may be, shall stamp or place thereon an identification number. The commissioner shall keep a complete record of every such firearm, together with the full name, address and occupation of each person making such a request.

Approved April 13, 1937.

Chap. 200 AN ACT AUTHORIZING THE SALE OF CERTAIN LAND IN THE TOWN OF NORFOLK OWNED BY THE COMMONWEALTH AND USED FOR PURPOSES OF THE STATE PRISON COLONY.

Be it enacted, etc., as follows:

The commissioner of correction in the name and on behalf of the commonwealth may sell and convey a certain parcel of land in the town of Norfolk used for the purposes of said prison colony and not now needed therefor, said parcel being bounded and described as follows:—Beginning at the northerly corner of said parcel at a stone bound on the southerly side of Main street and thence running south 40°-29'-20" east about one hundred and forty-seven and eighty-two hundredths feet to a stake, thence south 70°-26'-10" west about eighty-nine and eighty-eight hundredths feet to a stake adjoining the land of Henry C. and Annie M. Walker, thence north 4°-31'-50" west by land of aforesaid Henry C. and Annie M. Walker about one hundred and forty-two and ninety-five hundredths feet to the point of beginning. All of the above as shown and described as lot C on a plan entitled "Plan of Land in Norfolk, Mass. Scale 1 in. 20 ft. April 14, 1936, Kenneth E. McIntyre, Civil Engineer, Walpole, Mass."

Approved April 13, 1937.

Chap. 201 AN ACT LIMITING THE HOURS IN THE EVENING DURING WHICH THE POLLS MAY BE OPEN AT STATE AND PARTY PRIMARIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 53, § 43, etc., amended.

When polls shall be open at primaries.

Section forty-three of chapter fifty-three of the General Laws, as amended by section eleven of chapter three hundred and ten of the acts of nineteen hundred and thirty-two, is hereby further amended by adding at the end the following sentence:—The polls shall in no case be kept open after eight o'clock in the evening, — so as to read as follows:— *Section 43.* The polls at every primary shall be open during such hours, not less than nine in cities or two in towns, as may be designated by the aldermen in cities, and in towns by by-law or vote, or, in default of such by-law or vote, by the selectmen. The polls shall in no case be kept open after eight o'clock in the evening.

Approved April 13, 1937.

AN ACT RELATIVE TO THE PENSIONS PAYABLE TO CERTAIN
RETIRED PUBLIC SCHOOL JANITORS IN CERTAIN CITIES AND
TOWNS. Chap. 202

Be it enacted, etc., as follows:

Pensions payable by a city or town to public school janitors, formerly employed by it and retired under the provisions of section forty-four of chapter thirty-two of the General Laws prior to the effective date of chapter two hundred and twenty-three of the acts of nineteen hundred and thirty-six, may be increased to the amount authorized by said section forty-four, as amended by said chapter two hundred and twenty-three.

Approved April 13, 1937.

AN ACT FURTHER REDUCING THE RATE OF INTEREST ON
UNPAID LOCAL TAXES. Chap. 203

Be it enacted, etc., as follows:

SECTION 1. Section fifty-seven of chapter fifty-nine of the General Laws, as most recently amended by section one of chapter one hundred and fifty-eight of the acts of nineteen hundred and thirty-five, is hereby further amended by striking out, in the sixth line, the word "five" and inserting in place thereof the words:—four and one half,—so as to read as follows:—*Section 57.* Taxes shall be payable in every city, town and district in which the same are assessed, in two equal instalments, on July first and on October first of each year, and bills for the same shall be sent out not later than June fourteenth of each year. Interest shall be paid at the rate of four and one half per cent per annum on all taxes remaining unpaid after November first of the year in which they are payable, computed from October first of such year, and, by way of penalty, at the additional rate of one and one half per cent per annum on so much of the taxes assessed to any taxpayer in any one city or town and remaining unpaid after December thirty-first of the year in which they are payable as is in excess of three hundred dollars, computed from October first of such year. Bills for taxes assessed under section seventy-five shall be sent out not later than December twenty-sixth, and such taxes shall be payable not later than December thirty-first. If they remain unpaid after that date, interest shall be paid at the rates above specified, computed from December thirty-first until the day of payment, but if, in any case, the tax bill is sent out later than December twenty-sixth, said taxes shall be payable not later than ten days from the day upon which said bill is sent out, and interest shall be computed from the fifteenth day following the date when the tax becomes due. In all cases where interest is payable it shall be added to and become a part of the tax.

G. L. (Ter. Ed.), 59, § 57, etc., amended.

Date for payment of taxes.

Interest.

SECTION 2. This act shall apply only to taxes assessed in the current year and thereafter.

Effective date.

Approved April 14, 1937.

Chap.204 AN ACT AUTHORIZING THE TOWN OF FAIRHAVEN TO BORROW MONEY FOR THE PURPOSE OF IMPROVING FAIRHAVEN HARBOR.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of meeting the share of the town of Fairhaven of the cost of the work of improving Fairhaven harbor, by dredging and otherwise, said work to be done by said town itself, or by said town in co-operation with the federal government and the state department of public works, or either of them, the said town of Fairhaven may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, sixteen thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Fairhaven Harbor Improvement Loan, Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than five years from their dates, but no issue shall be authorized under this act unless a sum equal to an amount not less than ten per cent of such authorized issue is voted for the same purpose to be raised by the tax levy of the year when authorized. Indebtedness incurred under this act shall be inside the statutory limit, and shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved April 16, 1937.

Chap.205 AN ACT RELATIVE TO THE FUNDING OF ASSESSMENTS ON ACCOUNT OF ALTERATIONS AND ADDITIONS TO THE MIDDLESEX COUNTY TUBERCULOSIS HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. Section five of chapter four hundred and seventeen of the acts of nineteen hundred and thirty-five is hereby amended by striking out, in the fourth and fifth lines, the word "thirty-seven" and inserting in place thereof the word: — thirty-eight, — so as to read as follows: —
Section 5. A municipality of the said hospital district shall be entitled to participate in the benefits provided by section four only if it files with said county commissioners, not later than April fifteenth, nineteen hundred and thirty-eight, an election that all or any specified portion of its then outstanding assessments on account of the expenditures authorized by section one of this act shall be funded as herein authorized, executed, in case of a city, in accordance with a vote of its city council approved by the mayor thereof, or, in case of a town, in accordance with a vote of its town meeting, and any such municipality may specify

in such election a lesser period than the maximum term provided for the funding loan authorized hereby, for the payment by it of assessments on account of such loan.

SECTION 2. This act shall take effect upon its passage.

Approved April 16, 1937.

AN ACT RELATIVE TO THE PENSIONS OF FOREMEN, INSPECTORS, MECHANICS, DRAW TENDERS, ASSISTANT DRAW TENDERS AND STOREKEEPERS FORMERLY IN THE EMPLOY OF THE CITY OF SALEM. Chap.206

Be it enacted, etc., as follows:

SECTION 1. Pensions payable by the city of Salem to foremen, inspectors, mechanics, draw tenders, assistant draw tenders and storekeepers, formerly in the employ of said city and retired under the provisions of section seventy-seven of chapter thirty-two of the General Laws, prior to the acceptance by said city of the provisions of paragraph (c) of said section, may be increased to the amount authorized by said paragraph (c).

SECTION 2. This act shall take effect upon its passage.

Approved April 16, 1937.

AN ACT RELATIVE TO AN INVESTIGATION BY THE TOWN OF WEST SPRINGFIELD WITH RESPECT TO THE ACQUISITION OF ADDITIONAL SOURCES OF WATER SUPPLY FOR SAID TOWN AND ITS INHABITANTS. Chap.207

Be it enacted, etc., as follows:

SECTION 1. The town of West Springfield, in investigating the matter of acquiring additional sources of water supply for said town and its inhabitants, may enter upon any lands within said town, within any municipality adjoining said town and within the town of Southwick, for the purpose of making surveys, test pits and borings, and may take by eminent domain under chapter seventy-nine of the General Laws, or otherwise acquire, the right to occupy temporarily any such lands necessary for the purposes hereof; provided, that said town of West Springfield shall not enter upon the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities.

SECTION 2. Any person injured in his property by any taking under this act or any other thing done under authority thereof may recover damages therefor from said town of West Springfield under said chapter seventy-nine.

SECTION 3. This act shall take effect upon its passage.

Approved April 16, 1937.

*Chap.*208 AN ACT MAKING UNIFORM THE LAW AS TO EXTRA-TERRITORIAL ARREST ON FRESH PURSUIT AND AUTHORIZING THIS COMMONWEALTH TO CO-OPERATE WITH OTHER STATES IN CONNECTION THEREWITH.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 276,
new sections
10A-10D,
added.

Fresh pur-
suit, arrest
by officers.

SECTION 1. Chapter two hundred and seventy-six of the General Laws is hereby amended by inserting after section ten, as appearing in the Tercentenary Edition, the following four new sections under the caption EXTRA-TERRITORIAL ARREST ON FRESH PURSUIT:— *Section 10A*. Any member of a duly organized state, county or municipal peace unit of another state of the United States the laws of which contain provisions substantially equivalent to the provisions of this and the following section, who enters this commonwealth in fresh pursuit, and continues herein in such fresh pursuit, of a person in order to arrest him on the ground that he has committed a felony in such other state shall have the same authority to arrest and hold in custody such person as members of a duly organized state, county or municipal peace unit of this commonwealth have to arrest and hold in custody a person on the ground that he has committed a felony in this commonwealth. This section shall not be construed so as to make unlawful any arrest in this commonwealth which would otherwise be lawful.

Arresting
officer to
present per-
son to court.

Section 10B. If an arrest is made in this commonwealth by an officer of another state in accordance with the provisions of the preceding section he shall without unnecessary delay take the person arrested before a justice, associate justice or special justice of a court of record in the county in which the arrest was made, who shall conduct a hearing for the purpose of determining the lawfulness of the arrest. If such justice, associate justice or special justice determines that the arrest was lawful he shall commit the person arrested to await for a reasonable time the issuance of a rendition warrant by the governor of the state from which he fled. If such justice, associate justice or special justice determines that the arrest was unlawful he shall discharge the person arrested.

Invalidity of
part of act,
effect of.

Section 10C. If any part of sections ten A and ten B is for any reason declared void, it is declared to be the intent of said sections that such invalidity shall not affect the validity of the remaining portions of said sections.

Act, how cited.

Section 10D. Sections ten A to ten C, inclusive, may be cited as the uniform extra-territorial arrest on fresh pursuit law, and shall be so interpreted and construed as to effectuate their general purpose to make uniform the law of the states which enact similar laws.

SECTION 2. As soon as practicable after this act has the force of law, the state secretary shall certify a copy thereof to the executive department of each of the states of the United States.

Approved April 16, 1937.

Copies of act to be sent to other states.

AN ACT RELATIVE TO THE EFFECT OF TAX SALES ON COVENANTS AND AGREEMENTS RUNNING WITH THE LAND.

Chap. 209

Be it enacted, etc., as follows:

Section forty-five of chapter sixty of the General Laws, as amended by section four of chapter three hundred and twenty-five of the acts of nineteen hundred and thirty-three, is hereby further amended by inserting after the word "thereto" in the eighteenth line the following: — , and all covenants and agreements running with said premises either at law or in equity, — so as to read as follows: — *Section 45.* The collector shall execute and deliver to the purchaser a deed of the land, stating the cause of sale, the price for which the land was sold, the name of the person on whom the demand for the tax was made, the places where the notices were posted, the name of the newspaper in which the advertisement of the sale was published, and the residence of the grantee, and shall contain a warranty that the sale has in all particulars been conducted according to law. The deed shall convey the land to the purchaser, subject to the right of redemption. The title thus conveyed shall, until redemption or until the right of redemption is foreclosed as herein-after provided, be held as security for the repayment of the purchase price, with all intervening costs, terms imposed for redemption and charges, with interest thereon, and the premises conveyed shall also be subject to and have the benefit of all easements and restrictions lawfully existing in, upon or over said land or appurtenant thereto, and all covenants and agreements running with said premises either at law or in equity, when so taken. Such deed shall not be valid unless recorded within sixty days after the sale. If so recorded it shall be prima facie evidence of all facts essential to the validity of the title thereby conveyed, whether the deed was executed on or before as well as since July first, nineteen hundred and fifteen. No sale hereafter made shall give to the purchaser any right to possession of the land until the expiration of two years after the date of the sale.

Approved April 16, 1937.

G. L. (Ter. Ed.), 60, § 45, etc., amended.

Collector's deed, contents and effect.

AN ACT MAKING UNIFORM THE LAW SECURING THE ATTENDANCE OF WITNESSES FROM WITHOUT A STATE IN CRIMINAL PROCEEDINGS.

Chap. 210

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and thirty-three of the General Laws is hereby amended by inserting after section thirteen, as appearing in the Tercentenary Edition, the fol-

G. L. (Ter. Ed.), 233, new sections 13A-13D, added.

Certificate
of court
requiring
witness to
attend court
without the
state.

lowing four new sections:— *Section 13A.* If a certificate wherein a judge of a court of record in any state which by its laws has made provision for commanding persons within its borders to attend and testify in criminal actions, prosecutions and other criminal proceedings pending, or grand jury investigations and other proceedings commenced or about to commence, in this commonwealth certifies under the seal of such court that there is a criminal proceeding pending in such court, or that a grand jury investigation or proceeding has commenced or is about to commence within the jurisdiction of such court, that a person being within this commonwealth is a material witness in such proceeding or investigation and that his presence will be required for a specified number of days, is presented to a justice of the superior court sitting in and for the county, or the justice or a special justice of the district court in the judicial district, in which such person is, such justice or special justice shall make an order directing such person to appear at a time and place certain for a hearing upon the question of compelling his attendance at such proceeding or investigation.

Hearing.

If at the hearing the justice or special justice determines that the witness is material and necessary, that it will not cause undue hardship to the witness to be compelled to attend and testify in the proceeding or investigation in such other state, and that the laws of such other state and of any other state through which the witness may be required to pass by the ordinary traveled route will give to him protection from arrest and the service of process, civil or criminal, as provided in section thirteen C, he shall issue a summons, which term shall include a subpoena, order or other notice requiring the appearance of a witness in any state where such process is used in lieu of a summons, with a copy of such certificate attached, directing the witness to attend and testify in the court where the proceeding is pending, or before the grand jury before which the investigation or proceeding has commenced or is about to commence, at a time and place specified in the summons. At any such hearing such certificate shall be prima facie evidence of all the facts stated therein.

Witness may
be taken into
custody.

If in any such certificate it is recommended that the witness be taken into immediate custody and delivered to an officer of the requesting state to assure his attendance at such a proceeding or investigation therein, such justice or special justice may, in lieu of notification of the hearing, direct that such witness be forthwith brought before him for said hearing and the justice or special justice at the hearing, if satisfied of the desirability of such custody and delivery, for which determination such certificate shall be prima facie evidence of such desirability, may, in lieu of issuing a summons, order that said witness be taken into custody and delivered to an officer of the requesting state.

Fees of
witness.

If a witness who is summoned as hereinbefore provided, after being paid or tendered by some properly authorized person the sum of ten cents a mile for each mile by the

ordinary traveled route to and from the place where the proceeding is pending, or the grand jury investigation or proceeding has commenced or is about to commence, and five dollars for each day that he is required to travel and attend as a witness, fails without good cause to attend and testify as directed in the summons, he shall be punished in the manner provided for the punishment of a witness who disobeys a summons issued from a court of record of this commonwealth.

Section 13B. If a person in any state which by its laws has made provision for commanding persons within its borders to attend and testify in criminal proceedings pending, or grand jury investigations and proceedings commenced or about to commence, in this commonwealth is a material witness in a criminal proceeding pending in a court of record of this commonwealth, or in a grand jury investigation or proceeding which has commenced or is about to commence within the jurisdiction of such a court of record, a justice or special justice of such court may issue a certificate under the seal of the court, stating such facts and specifying the number of days the witness will be required, which certificate may be presented in accordance with the laws of such other state to a magistrate or officer thereof for appropriate action to secure the attendance of such witness in this commonwealth. Such certificate may include a recommendation that the witness be taken into immediate custody and delivered to an officer of this commonwealth to assure his attendance in this commonwealth.

Certificate
requiring at-
tendance of
witnesses
from without
the state.

If the witness is summoned to attend and testify in this commonwealth he shall be tendered the sum of ten cents a mile for each mile by the ordinary traveled route to and from the place where the criminal proceeding is pending, or the grand jury investigation or proceeding has commenced or is about to commence, and five dollars for each day that he is required to travel and attend as a witness. A witness who has appeared in accordance with the provisions of the summons shall not be required to remain within this commonwealth a longer period of time than the period mentioned in the certificate, unless otherwise ordered by the court having jurisdiction of the criminal proceeding or grand jury investigation or proceeding; and any court order that such witness remain after the time for which he was summoned shall be conditioned upon the immediate tender to him of five dollars for each day during which his further attendance as a witness is ordered. If such a witness, after coming into this commonwealth, fails without good cause to attend and testify as directed in the summons, he shall be punished in the manner provided for the punishment of a witness who disobeys a summons issued from a court of record of this commonwealth.

Witness
fees.

Section 13C. If a person comes into this commonwealth in obedience to a summons or order directing him to attend and testify in a criminal proceeding or grand jury investigation or proceeding in this commonwealth he shall not, while

Exemption
from arrest,
etc., of wit-
ness while
within the
state.

in this commonwealth pursuant to such summons or order, be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into this commonwealth under the summons or order.

If a person passes through this commonwealth while going to another state in obedience to a summons or order to attend and testify in a criminal proceeding or grand jury investigation or proceeding in that state, or while returning therefrom, he shall not, while so passing through this commonwealth, be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into this commonwealth under the summons or order.

Nothing in this section or either of the two preceding sections shall preclude action under sections twelve and thirteen or under similar reciprocal provisions of law in other states.

Sections,
how cited.

Section 13D. Sections thirteen A to thirteen C, inclusive, may be cited as the uniform law to secure the attendance of witnesses from without a state in criminal proceedings, and shall be so interpreted and construed as to effectuate their general purpose to make uniform the law of the states which enact similar laws.

Copies of act
to be sent to
other states.

SECTION 2. As soon as practicable after this act has the force of law, the state secretary shall certify a copy thereof to the executive department of each of the states of the United States.

Approved April 16, 1937.

Chap. 211 AN ACT RELATIVE TO NON-PARTISAN MUNICIPAL ELECTIONS
IN THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section three of chapter two hundred and eighty-one of the acts of nineteen hundred and thirty-two, as amended by chapter three hundred and eleven of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out, in the tenth line, the word "sixth" and inserting in place thereof the word: — seventh, — so as to read as follows: — Any person who is qualified to vote at any regular or special election for a candidate for any elective municipal office in said city, and who is a candidate for nomination thereto, shall be entitled to have his name as such candidate printed on the official ballot to be used at a preliminary election for nomination therefor; provided, that if he is a candidate to be voted for in a single ward he is a registered voter in the ward wherein he is a candidate; and provided, further, that on or before five o'clock in the afternoon of the seventh Tuesday preceding such regular or special municipal election there shall be submitted to the board of election commissioners, hereinafter called the board, a nomination paper prepared and issued by the board, wherein the candidate sets forth in writing his candidacy, and wherein the petition is signed by

voters of the city qualified to vote for a candidate for said office to the number of at least two hundred and fifty for the office of mayor, one hundred and fifty for the office of alderman at large and one hundred for the office of ward alderman and of member of the school committee, whose signatures are certified as hereinafter provided.

SECTION 2. Section four of said chapter two hundred and eighty-one is hereby amended by striking out, in the ninth line, the word "fifth" and inserting in place thereof the word: — sixth, — so as to read as follows: — *Section 4.* After any such nomination paper has been submitted to the board, it shall certify thereon the number of signatures which are the names of registered voters in said city qualified to sign the same. All such papers found not to contain a number of names so certified equivalent to the number required to make a nomination shall be invalid, and such papers shall be preserved by the board for one year. The board shall complete their certification on or before five o'clock in the afternoon of the sixth Tuesday preceding such regular or special municipal election, and the board, or some member thereof, shall file in their office on or before five o'clock in the afternoon of the next day all papers not found to be invalid as aforesaid.

SECTION 3. The first paragraph of section five of said chapter two hundred and eighty-one, as amended by chapter sixty-two of the acts of nineteen hundred and thirty-four, is hereby further amended by striking out, in the ninth line, the words "seventy-two hours" and inserting in place thereof the words: — seven days, — and by inserting after the word "of" in the eleventh line the words: — objections to, — so as to read as follows: — On the first day, other than a legal holiday, following the expiration of the time for filing the above described nomination papers, the board shall post in a conspicuous place in their office the names and residences of the candidates for nomination who have duly qualified as such, as they are to appear on the official ballots to be used at the preliminary election, except as to the order of the names, which shall be drawn by lot by the chairman of the board within seven days succeeding five o'clock in the afternoon of the last day fixed for the filing of objections to nomination papers, and the board shall cause the ballots, which shall contain said names in their order as so drawn, and no others, with a designation of residence, and of the office and term of office, to be printed, and the ballots so printed shall be official and no others shall be used at the preliminary election. At any drawing for position on the ballot, each candidate shall have an opportunity to be present in person or by one representative. There shall be left at the end of the list of candidates for nomination for each office blank spaces equal in number to the number of persons to be nominated therefor, in which spaces the voter may insert the name of any person not printed on the ballot for whom he desires to vote for nomi-

nation for such office, but the name of such person shall not be printed on the official ballot to be voted for at any regular or special municipal election in said city unless such person is qualified to be nominated under the provisions of section three. There shall be printed on such ballots such directions as will aid the voter, as, for example: "vote for one", "vote for two", and the like, and the ballots shall be headed substantially as follows:—

Approved April 16, 1937.

Chap. 212 AN ACT RELATIVE TO THE TRANSMISSION TO THE STATE
BALLOT LAW COMMISSION OF OBJECTIONS TO NOMINATIONS
FOR STATE OFFICES AND TO SENDING NOTICES OF SUCH
OBJECTIONS TO INTERESTED PARTIES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 53, § 11,
etc., amended.

Ballot law
commission,
transmission
to, of objec-
tions to nom-
ination papers.

SECTION 1. Chapter fifty-three of the General Laws is hereby amended by striking out section eleven, as most recently amended by section three of chapter seventy-seven of the acts of the current year, and inserting in place thereof the following:— *Section 11.* When certificates of nomination and nomination papers have been filed, and are in apparent conformity with law, they shall be valid unless written objections thereto are made. Such objections shall be filed as to state offices with the state secretary, and as to city or town offices with the city or town clerk, and in the case of state offices within the seventy-two week day hours, in the case of city offices, except where city charters provide otherwise, within the forty-eight week day hours, and in the case of town offices within the twenty-four week day hours, succeeding five o'clock in the afternoon of the last day fixed for filing the certificate of nomination or nomination papers to which objections are made. Objections so filed with the state secretary shall forthwith be transmitted by him to the state ballot law commission. This section shall be in force in any city or town which accepts section one hundred and three A of chapter fifty-four, any special provision of law to the contrary notwithstanding.

G. L. (Ter.
Ed.), 53, § 12,
amended.

Objections,
etc., by whom
considered.

SECTION 2. Said chapter fifty-three is hereby amended by striking out section twelve, as appearing in the Tercentenary Edition, and inserting in place thereof the following:— *Section 12.* Objections to nominations for state offices, and all other questions relating thereto, shall be considered by the state ballot law commission; to nominations for city offices, except in Boston, by the board of registrars, the city clerk and the city solicitor; and to nominations for town offices, by the board of registrars.

Boards in cities and towns may, at hearings on such objections and questions, summon witnesses, administer oaths and require the production of books and papers. Such witnesses shall be summoned in the same manner, be paid the

same fees, and be subject to the same penalties for default, as witnesses in civil cases before the courts. A summons may be signed, and an oath may be administered by any member of such board, and the decision of the board shall be final.

When such objection has been filed, and, in the case of an objection to nomination for a state office, transmitted to the state ballot law commission, notice thereof shall be forthwith mailed by said commission, or by the city or town clerk, as the case may be, to the candidates affected thereby, addressed to their residences as given in the certificates of nomination or nomination papers, and to any party committee interested in the nomination to which objection is made.

If more candidates bearing the same designation are nominated for an office, otherwise than by nomination papers, than are to be elected thereto, such boards shall determine the candidates, if any, entitled to such designation.

Approved April 16, 1937.

AN ACT EXTENDING THE ADVANTAGES OF FREE CORRESPONDENCE COURSES TO CERTAIN BLIND PERSONS. Chap. 213

Be it enacted, etc., as follows:

Section seven of chapter sixty-nine of the General Laws, as amended by chapter two hundred and seventy-five of the acts of nineteen hundred and thirty-five, is hereby further amended by inserting after the word "commonwealth" in the fifteenth line the following: — and to blind persons who have resided in the commonwealth at least one year immediately prior to the taking of such courses, — so as to read as follows: — *Section 7.* The department may co-operate with existing institutions of learning in the establishment and conduct of university extension and correspondence courses; may supervise the administration of all such courses supported in whole or in part by the commonwealth; and also, where deemed advisable, may establish and conduct such courses for the benefit of residents of the commonwealth and, provided that the fees charged exceed the cost of service, may enroll in correspondence courses such non-residents as are approved by the department. The department may offer correspondence courses, free of charge, to inmates of county and state hospitals and sanatoria, county and state correctional institutions, the state infirmary, and federal hospitals situated within the commonwealth and to blind persons who have resided in the commonwealth at least one year immediately prior to the taking of such courses. It may, in accordance with rules and regulations established by it, grant to students satisfactorily completing such courses suitable certificates.

G. L. (Ter. Ed.), 69, § 7, etc., amended.

University extension and correspondence courses.

Approved April 16, 1937.

Chap.214 AN ACT AUTHORIZING CERTAIN LICENSED MILK DEALERS TO SELL MILK, CREAM AND CERTAIN MILK PRODUCTS WITHOUT BEING LICENSED AS HAWKERS AND PEDLERS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 101, § 15, amended.

Limit of application of chapter.

Section fifteen of chapter one hundred and one of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting at the end the following:—, nor to persons licensed under section forty of chapter ninety-four with respect to the sale by them of milk, skimmed milk, cream, butter, cheese or other milk products, except frozen desserts as defined in section sixty-five G of said chapter ninety-four, — so as to read as follows:— *Section 15.* The provisions of this chapter relating to hawkers and pedlers shall not apply to wholesalers or jobbers selling to dealers only, nor to commercial agents or other persons selling by sample, lists, catalogues or otherwise for future delivery, nor to any person who peddles only fish obtained by his own labor or that of his family, fruits, vegetables or other farm products raised or produced by himself or his family, nor to persons selling articles for charitable purposes under section thirty-three, nor to persons licensed under section forty of chapter ninety-four with respect to the sale by them of milk, skimmed milk, cream, butter, cheese or other milk products, except frozen desserts as defined in section sixty-five G of said chapter ninety-four.

Approved April 16, 1937.

Chap.215 AN ACT PROVIDING FOR THE APPOINTMENT OF THE CITY SOLICITOR OF THE CITY OF HAVERHILL BY THE MAYOR OF SAID CITY WITHOUT THE APPROVAL OF THE MUNICIPAL COUNCIL THEREOF.

Be it enacted, etc., as follows:

SECTION 1. The mayor of the city of Haverhill shall, annually in the month of January, without the approval of the municipal council, appoint a city solicitor, who shall hold his office for the term of one year and until the qualification of his successor; provided, that he may be removed at any time by the mayor.

SECTION 2. So much of chapter sixty-one of the acts of eighteen hundred and sixty-nine, and acts in amendment thereof and in addition thereto, as is inconsistent with this act is hereby repealed.

SECTION 3. This act shall be submitted to the registered voters of said city at the regular municipal election in the current year in the form of the following question which shall be placed upon the official ballot to be used at said election:— "Shall an Act passed by the General Court in the year nineteen hundred and thirty-seven, entitled 'An Act providing for the appointment of the city solicitor of the city of Haverhill by the mayor of said city without the ap-

proval of the municipal council thereof', be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to said question, this act shall thereupon take full effect, but not otherwise. *Approved April 16, 1937.*

AN ACT RELATIVE TO THE PURCHASE OF SUPPLIES BY THE PURCHASING DEPARTMENT OF THE CITY OF LAWRENCE. Chap. 216

Be it enacted, etc., as follows:

SECTION 1. Section fifty-one of Part II of chapter six hundred and twenty-one of the acts of nineteen hundred and eleven is hereby amended by striking out, in the sixth line, the word "twenty-five" and inserting in place thereof the words: — one hundred, — and by striking out, in the eighth and ninth lines, the word "twenty-five" and inserting in place thereof the words: — two hundred and fifty, — so as to read as follows: — *Section 51.* The purchasing department shall consist of a purchasing agent and such assistants as the city council may from time to time deem necessary. The purchasing agent shall purchase all supplies for the city, except in case of an emergency; but all purchases or contracts for purchase exceeding one hundred dollars in amount shall be based upon competition, and no purchases or contracts for purchase shall be made involving the expenditure of more than two hundred and fifty dollars for any one class of supplies in any month, except by competition. The purchasing agent shall purchase all supplies for the school department in accordance with instructions given to him by the school committee. A record shall be kept by this department of the prices paid, and to whom paid, for all supplies, which shall be open to the inspection of any citizen. The salaries in this department shall be fixed by the city council.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the city of Lawrence at the regular municipal election in the current year in the form of the following question which shall be placed upon the official ballot to be used at said election: "Shall an act of the general court passed in the current year, entitled 'An Act relative to the purchase of supplies by the purchasing department of the city of Lawrence', which provides for increasing the amount that may be spent for purchases and contracts without competition, be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to said question this act shall thereupon take effect, but not otherwise.

Approved April 16, 1937.

Chap.217 AN ACT CHANGING THE NAME OF THE EDISON 'ELECTRIC ILLUMINATING COMPANY OF BOSTON TO BOSTON EDISON COMPANY.

Be it enacted, etc., as follows:

SECTION 1. The name of The Edison Electric Illuminating Company of Boston, a corporation incorporated under general law on January eighth, eighteen hundred and eighty-six, is hereby changed to Boston Edison Company.

SECTION 2. The bonds of said corporation, entitled "First Mortgage Bonds, Series A, Sinking Fund 3½s due 1965", which are issued after the time this act takes effect in exchange for or upon transfer of outstanding bonds in accordance with its Indenture of Trust and First Mortgage with Old Colony Trust Company, Trustee, dated as of July first, nineteen hundred and thirty-five, shall not be invalid because of being issued under its former name and seal.

Approved April 16, 1937.

Chap.218 AN ACT PROVIDING ADDITIONAL PROCEDURE FOR LAYING OUT AND CONSTRUCTING STATE HIGHWAYS BY THE DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), §1, § 5, amended.

Laying out, etc., of state highways.

SECTION 1. Chapter eighty-one of the General Laws is hereby amended by striking out section five, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 5.* If the department determines, after public notice and a hearing of all parties interested, that public necessity and convenience require that a way should be laid out or be taken charge of by the commonwealth, it shall file in the office of the county commissioners for the county where the way is situated a certified copy of a plan thereof and a certified copy of a certificate that it has laid out and taken charge of said way in accordance with said plan, and shall file in the office of the clerk of each town where the way is situated a copy of the plan showing the location of the portion lying therein and a copy of the certificate that it has laid out and taken charge of said highway in accordance with said plan, and thereafter said way shall be a state highway, and shall be constructed by the department at the expense of the commonwealth; but any state highway so laid out and constructed may be abandoned or discontinued as provided in section twelve. The width of a state highway shall be such as the department deems necessary. If the width of a state highway be less than that of the way previously existing, that portion of the way which lies between the boundary or location lines of the state highway and the boundary lines of the way previously existing shall remain a public way unless the department determines that it should be abandoned, or the county commissioners

of the county, or the city or town in which the way is situated, having jurisdiction of the way, abandon at any time said portion in the manner provided by law for the alteration, relocation or discontinuance of public ways.

SECTION 2. Section eight of said chapter eighty-one, as amended by chapter three hundred and seventy-one of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out in the twenty-third line the words “, on petition as aforesaid,” — so as to read as follows: —

Section 8. The department, when about to construct a state highway, shall advertise in two or more newspapers published in each county in which the highway lies, and in three or more daily newspapers published in Boston, for sealed proposals for the construction of such highway, stating the time and place for opening such proposals, and reserving the right to reject any and all proposals. If a proposal is satisfactory, the department, with the approval of the governor and council, shall make a contract in writing on behalf of the commonwealth for such construction. After the proposals have been accepted or rejected they shall be kept by the department, and shall be open to public inspection for three years, and may then be destroyed by the department. The department may, in the same manner and under the same conditions, contract for the grading of a state highway or for furnishing labor, materials or any other element in its construction. The construction of all state highways shall be under the supervision and subject to the approval of the department and in accordance with plans and specifications furnished by it, shall be fairly apportioned by the department among the different counties, and not more than ten miles of state highway shall be constructed in any one county in any one year, without the previous written approval of the governor and council.

Approved April 16, 1937.

G. L. (Ter. Ed.), 81, § 8, etc., amended.

Construction by towns.

AN ACT REQUIRING CERTAIN COUNTY OFFICERS TO GIVE BOND ANNUALLY AND MAKING CERTAIN OTHER CHANGES IN LAWS RELATING TO SUCH OFFICERS.

Chap. 219

Be it enacted, etc., as follows:

SECTION 1. Chapter thirty-six of the General Laws is hereby amended by striking out section three, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 3.* Each register of deeds shall be sworn before the county commissioners, or in Suffolk county before the city council of Boston, and prior to being sworn, and thereafter, at intervals of not more than one year, so long as he continues to hold such office, shall give bond to the county, conditioned to perform faithfully his own duties and to be responsible for the official acts of his assistant registers, with such sureties and in such sum as the commissioners or said council, respectively, shall approve.

G. L. (Ter. Ed.), 36, § 3, amended.

Register of deeds to give bond.

G. L. (Ter. Ed.), 37, § 2, amended.

Sheriff to give bond.

SECTION 2. Chapter thirty-seven of the General Laws is hereby amended by striking out section two, as so appearing, and inserting in place thereof the following: — *Section 2.* A sheriff, before performing any official act, shall be sworn and prior to being sworn, and thereafter, at intervals of not more than one year, so long as he continues to hold such office, shall give to the state treasurer a bond in such amount and with such sureties as the superior court shall order and approve, conditioned to perform faithfully his own duties and to be responsible for the official acts of his deputies. A default, malfeasance or misfeasance in office of a deputy sheriff or jailer after the death, removal or resignation of the sheriff by whom he was appointed, shall be a breach of the bond of such sheriff.

G. L. (Ter. Ed.), 218, § 16, amended.

Clerks of district courts to give bond.

SECTION 3. Chapter two hundred and eighteen of the General Laws is hereby amended by striking out section sixteen, as so appearing, and inserting in place thereof the following: — *Section 16.* The clerk of a district court, before entering upon the performance of his official duties, and thereafter, at intervals of not more than one year, so long as he continues to hold such office, shall give to the county treasurer a bond, with a surety company authorized to transact business in the commonwealth, as surety, in a sum approved by the justice of such court, but in no event less than one thousand dollars, conditioned to account for and pay over as and when required by law all fines, forfeitures, fees and other money received by him in the exercise of his office. Failure to give such bond shall be sufficient cause for his removal.

G. L. (Ter. Ed.), 221, § 12, amended.

Clerk and assistant of the supreme court to give bond.

SECTION 4. Chapter two hundred and twenty-one of the General Laws is hereby amended by striking out section twelve, as so appearing, and inserting in place thereof the following: — *Section 12.* The clerk and assistant clerk of the supreme judicial court for the commonwealth shall each, before entering upon the performance of his duties, and thereafter, at intervals of not more than one year, so long as he continues to hold such office, give bond in the sum of two thousand dollars for the faithful performance of his official duties, payable to the state treasurer, with sufficient surety or sureties approved by the court. Each clerk, assistant clerk, and each temporary assistant clerk appointed under section nine, shall give bond in like manner to the county treasurer, in a sum not less than five hundred nor more than two thousand dollars, to be determined by the court; and each temporary clerk appointed under section eight shall give bond in like manner, if required by the court.

G. L. (Ter. Ed.), 276, § 84, amended.

Probation officers to give bond.

SECTION 5. Chapter two hundred and seventy-six of the General Laws is hereby amended by striking out section eighty-four, as so appearing, and inserting in place thereof the following: — *Section 84.* Each probation officer shall, before performing any official duty, and thereafter, at intervals of not more than one year, so long as he continues to hold such office, give bond to the county treasurer, in a sum

to be fixed and with sufficient sureties to be approved by a justice of the superior court, conditioned to account for and pay, as and when required by law, all moneys or property received by him in the exercise of his official duty. Failure to so give bond shall be sufficient cause for removal from office.

SECTION 6. Chapter one hundred and twenty-six of the General Laws is hereby amended by striking out section sixteen, as so appearing, and inserting in place thereof the following:— *Section 16.* The sheriff shall have custody and control of the jails in his county, and, except in Suffolk county, of the houses of correction therein, and of all prisoners committed thereto, and shall keep the same himself or by his deputy as jailer, master or keeper, and shall be responsible for them. The jailer, master or keeper shall appoint subordinate assistants, employees and officers, and shall be responsible for them. In Suffolk county the penal institutions commissioner shall appoint a master of the house of correction, who shall hold office during the pleasure of said commissioner. A sheriff, who acts as jailer, master or keeper, or a jailer, master or keeper appointed by the sheriff, before entering upon the performance of his duties as such, and thereafter, at intervals of not more than one year, so long as he continues so to act or to hold such office, as the case may be, shall give to the state treasurer a bond, with such sureties as the superior court shall order and approve, conditioned faithfully to perform his duties.

G. L. (Ter. Ed.), 126, § 16, amended.

Bond of jailers.

Approved April 16, 1937.

AN ACT RELATIVE TO THE RETIREMENT OF CERTAIN CALL MEMBERS OF FIRE DEPARTMENTS IN CERTAIN TOWNS.

Chap. 220

Be it enacted, etc., as follows:

Chapter thirty-two of the General Laws is hereby amended by inserting after section eighty-five C, inserted by section nine of chapter two hundred and eighty-five of the acts of nineteen hundred and thirty-four, the following new section:— *Section 85D.* Upon the acceptance of this section by a town at its annual town meeting by a two thirds vote, the provisions of section eighty-five relative to the retirement of permanent members of the fire department for incapacity shall apply to call members of its fire department, except that the pension of any call member retired hereunder shall be the same as that of a permanent member of the first grade of the fire department, or, if there be no grades, the same as that of a permanent member of the fire department performing duties like those which he performed.

G. L. (Ter. Ed.), 32, new section 85D, added.

Pensions for call firemen.

Approved April 16, 1937.

Chap.221 AN ACT MAKING THE PROVISIONS OF THE ONE DAY'S REST IN SEVEN LAW, SO CALLED, APPLICABLE TO CERTAIN RESTAURANTS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 149, § 49, amended.

Limitation of provisions of one day's rest in seven law.

Section forty-nine of chapter one hundred and forty-nine of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the third line, the word "restaurants," — so as to read as follows: — *Section 49.* The two preceding sections shall not apply to establishments used for the manufacture or distribution of gas, electricity, milk or water, hotels, drug stores, livery stables or garages, nor to the transportation, sale or delivery of food.

Approved April 16, 1937.

Chap.222 AN ACT AUTHORIZING THE CITY OF BOSTON TO REFUND TO DOOLEY BROS., INC., THE AMOUNT OF ITS DEPOSIT ON ITS PROPOSAL FOR A CERTAIN CONTRACT TO REMOVE ASHES AND GARBAGE.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston may refund to Dooley Bros., Inc. the sum of eight thousand dollars, being the amount deposited by it with said city on its proposal for a certain contract for the removal of ashes and garbage.

SECTION 2. This act shall take effect upon its acceptance by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved April 20, 1937.

Chap.223 AN ACT GIVING PREFERENCE TO BLIND PERSONS IN THE EMPLOYMENT OF TYPISTS IN CERTAIN CASES BY STATE DEPARTMENTS, BOARDS AND COMMISSIONS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 31, § 3, amended.

Preference to blind persons in employment.

Section three of chapter thirty-one of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after clause (f) the following new clause: —

(g) Preference to blind persons in the employment, by any state department, board or commission in the office or offices of which dictating machines are used, of typists to take dictation solely from such machines.

Approved April 20, 1937.

AN ACT RELATIVE TO THE FILLING OF VACANCIES IN THE CITY COUNCIL IN CITIES HAVING A PLAN B FORM OF CHARTER. Chap. 224

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Section twenty-six of chapter forty-three of the General Laws, as appearing in the Terecentenary Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the following:— Except as otherwise provided in sections fifty A and fifty-nine A, if a vacancy occurs in the office of the mayor or city council before the last six months of the term of office, the city council shall order an election for a mayor or a member of the council to serve for the unexpired term; and if such vacancy occurs in the office of mayor in the last six months of the term, the president of the city council shall succeed to said office for the unexpired term. If the mayor is absent or unable from any cause temporarily to perform his duties they shall be performed by the president of the city council. The person upon whom such duties shall devolve shall be called “acting mayor”, and he shall possess the powers of mayor only in matters not admitting of delay, but shall have no power to make permanent appointments. G. L. (Ter. Ed.), 43, § 26, amended.

Certain vacancies, how filled.

SECTION 2. Section fifty-six of said chapter forty-three, as so appearing, is hereby amended by striking out, in the second line, the word “seven” and inserting in place thereof the word: — eight, — so as to read as follows: — *Section 56.* The method of city government provided for in the eight following sections shall be known as Plan B. G. L. (Ter. Ed.), 43, § 56, amended.

Plan B.

SECTION 3. Said chapter forty-three is hereby further amended by inserting after section fifty-nine, as so appearing, the following new section: — *Section 59A.* If a vacancy occurs at any time in the office of a councillor elected by and from the qualified voters of the city, such vacancy shall be filled forthwith by a majority vote of all the remaining members of the city council for the remainder of the unexpired term. G. L. (Ter. Ed.), 43, new section 59A, added.

Filling of vacancies in city council.

If a vacancy occurs, before the last six months of the term, in the office of a councillor elected by and from the voters of a ward, the city council shall forthwith order an election to fill such vacancy for the remainder of the unexpired term.

Approved April 26, 1937.

Chap.225 AN ACT AUTHORIZING AND DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO PROVIDE FOR THE COMPLETION OF THE DIVERSION OF THE WATERS OF EAST WAUSHACUM POND IN THE TOWN OF STERLING.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to provide for the completion of the diversion of the waters of East Waushacum pond in the town of Sterling in the manner provided in section two of chapter three hundred and forty-six of the acts of nineteen hundred and thirty-four. For the purpose of completing the said construction, said commission may expend, in addition to the amount provided for in said section two, such sums not exceeding, in the aggregate, twenty-five hundred dollars, as may hereafter be appropriated therefor. The sums so expended shall be added to the annual assessments upon the cities and towns comprising the metropolitan water district, and apportioned and collected as provided by section twenty-six of chapter ninety-two of the General Laws. Federal money granted for the purpose of completing said diversion may be used in conjunction with such funds.

SECTION 2. This act shall take effect upon its passage.

Approved April 26, 1937.

Chap.226 AN ACT RELATIVE TO INFORMATION AS TO CITIZENSHIP REQUIRED IN THE ANNUAL LISTING OF RESIDENTS OF BOSTON FOR VOTING PURPOSES.

Be it enacted, etc., as follows:

In the annual listing of residents of the city of Boston for voting purposes it shall be sufficient if information is procured and set forth in such lists as to whether or not the persons listed are citizens of the United States without procuring and setting forth information relative to their nationality.

Approved April 26, 1937.

Chap.227 AN ACT FIXING THE TIME WITHIN WHICH DECISIONS SHALL BE RENDERED BY THE STATE BALLOT LAW COMMISSION.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 6, § 32,
amended.

Section thirty-two of chapter six of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following new paragraph:—

Time for
rendering
decisions.

The commission shall render a decision on any matter referred to it, pertaining to certificates of nomination or nomination papers for any biennial party or state primaries or any biennial state election or to withdrawals from nominations therefor, not later than fourteen days after the last day fixed for filing objections to such certificates or papers,

or for filing such withdrawals, as the case may be, under chapter fifty-three. In the event that said commission fails to render within the aforesaid period its decision on any matter so referred, the state secretary shall, notwithstanding such failure, proceed forthwith to cause to be printed the ballots for such primaries or elections.

Approved April 26, 1937.

AN ACT RELATIVE TO INVESTMENTS BY CREDIT UNIONS. *Chap. 228*
Be it enacted, etc., as follows:

Section twenty-one of chapter one hundred and seventy-one of the General Laws, as amended by section two of chapter one hundred and sixty-three of the acts of nineteen hundred and thirty-three, is hereby further amended by striking out, in the eleventh line, the words "or bankers' acceptances which" and inserting in place thereof the words: —, notes of the United States or of any state or subdivision thereof, or bankers' acceptances, which bonds, notes or bankers' acceptances, — so as to read as follows: —

G. L. (Ter. Ed.), 171, § 21, etc., amended.

Section 21. The capital, deposits and surplus of a credit union shall be invested in loans to members, with approval of the credit committee, as provided in the following section, and also when so required herein, of the board of directors; and any capital, deposits or surplus funds in excess of the amount for which loans shall be approved by the credit committee and the board of directors, may be deposited in savings banks or trust companies incorporated under the laws of this commonwealth, or in national banks located therein, or invested in any bonds, notes of the United States or of any state or subdivision thereof, or bankers' acceptances, which bonds, notes or bankers' acceptances are at the time of their purchase legal investments for savings banks in this commonwealth, or, to the extent authorized by section three of chapter two hundred and sixteen of the acts of nineteen hundred and thirty-two, in the shares of Central Credit Union Fund, Inc., or in the shares of co-operative banks incorporated in this commonwealth. At least five per cent of the total assets of a credit union shall be carried as cash on hand or as balances due from banks and trust companies, or invested in the bonds or notes of the United States, or of any state, or subdivision thereof, which are legal investments for savings banks as above provided, or in the shares of Central Credit Union Fund, Inc., provided that such bonds, notes or shares are the absolute property and under the control of such credit union. Whenever the aforesaid ratio falls below five per cent, no further loans shall be made until the ratio as herein provided has been re-established. Investments, other than personal loans, shall be made only with the approval of the board of directors.

Investment of funds regulated.

Approved April 26, 1937.

Chap.229 AN ACT FURTHER•PENALIZING THE DEALING IN OR TRADING WITH RESPECT TO THE DEAD OR LIVING BODIES OF CERTAIN PROTECTED BIRDS OR MAMMALS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 131, § 124, amended.

Sale, etc., of certain birds prohibited.

Section one hundred and twenty-four of chapter one hundred and thirty-one of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following:— or by imprisonment for not more than thirty days, or both,— so as to read as follows:— *Section 124.* No person, except as provided in section one hundred and twenty-five, one hundred and twenty-six, one hundred and twenty-seven, one hundred and twenty-nine, one hundred and twenty-nine A or one hundred and thirty, shall buy, sell, barter, exchange, or in any way deal in or trade with respect to, the dead or living bodies of birds or mammals, protected by the law in this commonwealth, whenever and wherever taken or killed. Whoever violates any provision of this section shall be punished by a fine of not less than fifty nor more than one hundred dollars or by imprisonment for not more than thirty days, or both.

Approved April 26, 1937.

Chap.230 AN ACT AUTHORIZING THE ISSUANCE OF A SUMMONS INSTEAD OF A WARRANT IN CERTAIN PROSECUTIONS FOR VIOLATION OF THE MOTOR VEHICLE LAWS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 90, § 24, etc., amended.

Summons for violations of motor vehicle law.

SECTION 1. Paragraph (2) (a) of section twenty-four of chapter ninety of the General Laws, as appearing in section one of chapter four hundred and thirty-four of the acts of nineteen hundred and thirty-six, is hereby amended by inserting at the end the following new sentence:— A summons may be issued instead of a warrant for arrest upon a complaint for a violation of any provision of this paragraph if in the judgment of the court or justice receiving the complaint there is reason to believe that the defendant will appear upon a summons,— so as to read as follows:— (2) (a) Whoever upon any way or in any place to which the public has a right of access operates a motor vehicle recklessly, or operates such a vehicle negligently so that the lives or safety of the public might be endangered, or upon a bet or wager or in a race, or whoever operates a motor vehicle for the purpose of making a record and thereby violates any provision of section seventeen or any regulation under section eighteen, or whoever without stopping and making known his name, residence and the register number of his motor vehicle goes away after knowingly colliding with or otherwise causing injury to any other vehicle or property, or whoever uses a motor vehicle without authority knowing that such use is unauthorized, or whoever loans or know-

ingly permits his license to operate motor vehicles to be used by any person, or whoever makes false statements in an application for such a license or falsely impersonates the person named in such an application or procures such false impersonation whether of himself or of another, or whoever in an application for registration of a motor vehicle or trailer gives as his name or address or the place where such vehicle is principally garaged a false name, address or place, shall be punished by a fine of not less than twenty nor more than two hundred dollars or by imprisonment for not less than two weeks nor more than two years, or both; and whoever operates a motor vehicle upon any way or in any place to which the public has a right of access and, without stopping and making known his name, residence and the register number of his motor vehicle, goes away after knowingly colliding with or otherwise causing injury to any person shall be punished by imprisonment for not less than two months nor more than two years. A summons may be issued instead of a warrant for arrest upon a complaint for a violation of any provision of this paragraph if in the judgment of the court or justice receiving the complaint there is reason to believe that the defendant will appear upon a summons.

SECTION 2. This act shall take effect upon September first in the current year. *Approved April 26, 1937.* Effective date.

AN ACT PROVIDING FOR INCREASING THE AMOUNT OF CERTAIN ANNUAL ALLOWANCES PAYABLE BY THE TOWN OF MILTON TO WIDOWS OF MEMBERS OF ITS POLICE OR FIRE FORCE KILLED OR DYING FROM INJURIES RECEIVED IN THE PERFORMANCE OF DUTY. *Chap. 231*

Be it enacted, etc., as follows:

SECTION 1. The annuity payable under chapter sixteen of the Special Acts of nineteen hundred and nineteen and pensions granted by the town of Milton prior to the effective date of this act to widows of members of its police force or of its fire force who, prior to January first, nineteen hundred and thirty, were killed or died from injuries received in the performance of duty, may be severally increased by the selectmen of said town to amounts not exceeding one thousand dollars, respectively.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the year nineteen hundred and thirty-eight in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: "Shall an act passed by the General Court entitled 'An Act providing for increasing the amount of certain annual allowances payable by the town of Milton to widows of members of its police or fire force killed or dying from injuries received in the performance of duty', be accepted?" If a

majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved April 26, 1937.

Chap. 232 AN ACT TO ALLOW CREDIT UNDER THE TEACHERS' RETIREMENT LAW FOR SERVICE RENDERED AS AN EXCHANGE TEACHER IN CERTAIN CASES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 32, § 6, amended.

SECTION 1. Section six of chapter thirty-two of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following to the definition of "Teacher", —, except a person serving as an exchange teacher in such schools who is not at the time of entry into such service a member of the association, — so that said definition will read as follows: —

"Teacher", word defined.

"Teacher", any person employed by one or more school committees or boards of trustees, or by any combination of such committees and boards, on a full time basis as a teacher, principal, supervisor or superintendent in the public day schools in the commonwealth, or as a supervisor or teacher of adult alien education, except a person serving as an exchange teacher in such schools who is not at the time of entry into such service a member of the association.

G. L. (Ter. Ed.), 32, § 7, amended.

SECTION 2. Paragraph (3) of section seven of said chapter thirty-two, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following: —

Teachers who may join association.

Any teacher who entered the service of the public schools before July first, nineteen hundred and fourteen, who has not become a member of the association, may hereafter, before attaining the age of seventy, upon written application to the board, become a member of the association by paying into the annuity fund established by paragraph (2) of section nine an amount equal to the total assessments, together with regular interest thereon, which he would have paid if he had joined the association on September thirtieth, nineteen hundred and fourteen, and had continued to serve in his regular position as teacher during all periods while he was serving as an exchange teacher; and any amount paid hereunder shall thereby become a part of the assessments of the member making the same.

G. L. (Ter. Ed.), 32, § 7, further amended.

SECTION 3. Section seven of said chapter thirty-two is hereby amended by adding at the end thereof the following new paragraph: —

Exchange teachers.

(5) Service rendered by a member of the association as an exchange teacher elsewhere than in the public day schools in this commonwealth shall not terminate his membership in the association. If his salary as such an exchange teacher is paid by a city or town in this commonwealth where he is regularly employed, regular assessments shall be deducted therefrom in the same manner and to the

same extent as though he were regularly employed therein. Service rendered as such an exchange teacher shall be considered as service in the public schools in the commonwealth in determining the amount of his pension; provided, that regular assessments are deducted from his salary as aforesaid or, if his salary as such an exchange teacher is not paid by any such city or town, he or someone in his behalf pays into the annuity fund established by paragraph (2) of section nine in one sum, within five years from the date when he returns to public school service as a regular teacher and while so employed, the assessments which would have been paid if he had been employed in his regular position during the period employed as exchange teacher as aforesaid; and any amount paid hereunder shall thereby become a part of the assessments of the member making the same.

SECTION 4. Any person employed as an exchange teacher elsewhere than in the public day schools in this commonwealth prior to the effective date of this act may, within five years from said date, if employed as a regular teacher in said public day schools, pay into the annuity fund established by paragraph (2) of section nine in one sum the assessments which he would have paid if he had continued in his regular position in said public day schools during the period employed as such an exchange teacher, and upon payment of said assessments the service rendered by him as such an exchange teacher shall be considered as regular service in the public day schools in this commonwealth in determining his pension. Any amount paid hereunder shall thereby become a part of the assessments of the member making the same.

Certain teachers may join association.

Temporary provisions.

Approved April 26, 1937.

AN ACT RELATIVE TO THE MAKING BY CO-OPERATIVE BANKS OF LOANS UPON REAL ESTATE DIFFERING FROM ORDINARY CO-OPERATIVE BANK LOANS.

Chap. 233

Be it enacted, etc., as follows:

Chapter one hundred and ninety-one of the acts of nineteen hundred and thirty-five, as amended by chapter two hundred and three of the acts of nineteen hundred and thirty-six, is hereby further amended by inserting after the word "liens" in the eighth line the words: — or mortgages held by the bank making the loan, — and by striking out, in the tenth line, the words "eight thousand dollars" and inserting in place thereof the words: — ten thousand dollars, or if thereby the aggregate of all loans upon real estate by such bank which, as to any one borrower, exceed eight thousand dollars and include a loan or loans made under this act would at any time be in excess of five per cent of the aggregate amount of all loans secured by mortgages of real estate held by such bank, — and by striking out the last sentence, — so as to read as follows: — Any co-operative bank established under the laws of the commonwealth may within six years from the

effective date of this act make loans, for not less than five nor more than twenty years, secured by mortgages of real estate situated in the commonwealth, the title to which is in the name of the borrower and which is unencumbered by any mortgage or lien other than municipal liens or mortgages held by the bank making the loan; but no loan shall be made hereunder if thereby the aggregate of all loans upon real estate by such bank to any one borrower would exceed ten thousand dollars, or if thereby the aggregate of all loans upon real estate by such bank which, as to any one borrower, exceed eight thousand dollars and include a loan or loans made under this act would at any time be in excess of five per cent of the aggregate amount of all loans secured by mortgages of real estate held by such bank. Each loan hereunder shall be further secured by a promissory note in the full sum loaned, signed by the borrower, shall be upon improved real estate and shall not exceed eighty per cent of the value of the mortgaged property as certified by the security committee of such bank. Every such mortgage shall contain provisions calling for fixed monthly payments in the same amount during the term of the loan, which payments shall be applied first to interest and the balance thereafter remaining applied to principal, the interest to be computed monthly on the unpaid balance thereof. The borrower, and each subsequent owner of the equity of redemption of such real estate, shall at all times be a member of the bank, holding one or more unmatured, paid-up or matured shares, in his own name. Failure to comply with the foregoing requirement shall constitute a breach of condition for which the unpaid balance of said loan shall become due and payable forthwith, at the option of the bank.

Approved April 26, 1937.

Chap. 234 AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS AND CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS, AND FOR CERTAIN PERMANENT IMPROVEMENTS.

Be it enacted, etc., as follows:

Appropriations for maintenance of departments, etc., for interest, sinking fund and bond requirements, and for certain improvements.

SECTION 1. To provide for the maintenance of the several departments, boards, commissions and institutions, of sundry other services, and for certain permanent improvements, and to meet certain requirements of law, the sums set forth in section two, for the several purposes and subject to the conditions specified in said section two, are hereby appropriated from the general fund or revenue of the commonwealth, unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, for the fiscal year ending November thirtieth, nineteen hundred and thirty-seven, or for such other period as may be specified.

SECTION 2.

Service of the Legislative Department.

Item		
1	For the compensation of senators, a sum not exceeding eighty-two thousand dollars	\$82,000 00
2	For the compensation for travel of senators, a sum not exceeding fifty-nine hundred and forty-three dollars	5,943 00
3	For the compensation of representatives, a sum not exceeding four hundred eighty-two thousand dollars	482,000 00
4	For the compensation for travel of representatives, a sum not exceeding thirty-six thousand six hundred and fifty dollars	36,650 00
5	For the salaries of the clerk of the senate and the clerk of the house of representatives, a sum not exceeding ten thousand dollars	10,000 00
6	For the salaries of the assistant clerk of the senate and the assistant clerk of the house of representatives, a sum not exceeding seven thousand dollars	7,000 00
7	For such additional clerical assistance to, and with the approval of, the clerk of the house of representatives, as may be necessary for the proper despatch of public business, a sum not exceeding sixty-eight hundred dollars	6,800 00
8	For such additional clerical assistance to, and with the approval of, the clerk of the senate, as may be necessary for the proper despatch of public business, a sum not exceeding twenty-two hundred and eighty dollars	2,280 00
9	For the salary of the sergeant-at-arms, a sum not exceeding four thousand dollars	4,000 00
10	For clerical assistance, office of the sergeant-at-arms, a sum not exceeding forty-six hundred and eighty dollars	4,680 00
11	For the compensation for travel of doorkeepers, assistant doorkeepers, general court officers, pages and other employees of the sergeant-at-arms, authorized by law to receive the same, a sum not exceeding seventy-five hundred dollars	7,500 00
12	For the salaries of the doorkeepers of the senate and house of representatives, and the postmaster, with the approval of the sergeant-at-arms, a sum not exceeding eight thousand dollars	8,000 00
13	For the salaries of assistant doorkeepers to the senate and house of representatives and of general court officers, with the approval of the sergeant-at-arms, a sum not exceeding fifty-two thousand eight hundred dollars	52,800 00
14	For compensation of the pages of the senate and house of representatives, with the approval of the sergeant-at-arms, a sum not exceeding ninety-eight hundred dollars	9,800 00
15	For the salaries of clerks employed in the legislative document room, a sum not exceeding fifty-seven hundred dollars	5,700 00
16	For certain other persons employed by the sergeant-at-arms, in and about the chambers and rooms of the legislative department, a sum not exceeding thirty-one hundred and fifty dollars	3,150 00
17	For the salaries of the chaplains of the senate and house of representatives, a sum not exceeding fifteen hundred dollars	1,500 00

Item		
18	For personal services of the counsel to the senate and assistants, a sum not exceeding sixteen thousand three hundred dollars	\$16,300 00
19	For personal services of the counsel to the house of representatives and assistants, a sum not exceeding twenty thousand dollars	20,000 00
20	For clerical and other assistance of the senate committee on rules, a sum not exceeding fifty-five hundred dollars	5,500 00
21	For clerical and other assistance of the house committee on rules, a sum not exceeding forty-five hundred dollars	4,500 00
22	For traveling and such other expenses of the committees of the present general court as may be authorized by order of either branch of the general court, a sum not exceeding six thousand dollars	6,000 00
22a	For certain expenses of the senate committee on elections, as authorized by legislative order, a sum not exceeding fifty-nine hundred one dollars and twenty-five cents	5,901 25
23	For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches, a sum not exceeding sixty-five thousand dollars	65,000 00
24	For printing the manual of the general court, with the approval of the clerks of the two branches, a sum not exceeding five thousand dollars	5,000 00
25	For expenses in connection with the publication of the bulletin of committee hearings and of the daily list, with the approval of the joint committee on rules, a sum not exceeding seventeen thousand dollars	17,000 00
26	For stationery for the senate, purchased by and with the approval of the clerk, a sum not exceeding five hundred dollars	500 00
27	For office and other expenses of the committee on rules on the part of the senate, a sum not exceeding three hundred dollars	300 00
28	For office expenses of the counsel to the senate, a sum not exceeding three hundred dollars	300 00
29	For stationery for the house of representatives, purchased by and with the approval of the clerk, a sum not exceeding nine hundred dollars	900 00
30	For office and other expenses of the committee on rules on the part of the house, a sum not exceeding four hundred dollars	400 00
31	For office expenses of the counsel to the house of representatives, a sum not exceeding three hundred dollars	300 00
32	For contingent expenses of the senate and house of representatives, and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, a sum not exceeding ten thousand dollars	10,000 00
33	For telephone service, a sum not exceeding ten thousand dollars	10,000 00
34	For the purchase of outline sketches of members of the senate and house of representatives, a sum not exceeding eighteen hundred and fifty dollars	1,850 00
35	For the payment of witness fees to persons summoned to appear before committees of the general court, and for expenses incidental to summoning them, with the approval of the sergeant-at-arms, a sum not exceeding two hundred dollars	200 00

Item		
36	For indexing the special laws of the commonwealth, under the direction of the senate and house counsel, as authorized by chapter five of the resolves of nineteen hundred and thirty-five, a sum not exceeding six thousand dollars	\$6,000 00
	Total	\$905,754 25

Service of the Judicial Department.

Supreme Judicial Court, as follows:

37	For the salaries of the chief justice and of the six associate justices, a sum not exceeding ninety-nine thousand dollars	\$99,000 00
38	For traveling allowance and expenses, a sum not exceeding thirty-five hundred dollars	3,500 00
39	For the salary of the clerk for the commonwealth, a sum not exceeding sixty-five hundred dollars	6,500 00
40	For clerical assistance to the clerk, a sum not exceeding eighteen hundred dollars	1,800 00
41	For law clerks, stenographers and other clerical assistance for the justices, a sum not exceeding twenty-six thousand dollars	26,000 00
42	For office supplies, services and equipment, a sum not exceeding four thousand dollars	4,000 00
43	For the salaries of the officers and messengers, a sum not exceeding three thousand and forty dollars	3,040 00
44	For the commonwealth's part of the salary of the clerk for the county of Suffolk, a sum not exceeding fifteen hundred dollars	1,500 00

Reporter of Decisions:

45	For the salary of the reporter of decisions, a sum not exceeding six thousand dollars	6,000 00
46	For clerk hire and office supplies, services and equipment, a sum not exceeding ninety-seven hundred dollars	9,700 00

Pensions:

47	For the pensions of retired court officers, a sum not exceeding two hundred dollars	200 00
	Total	\$161,240 00

Superior Court, as follows:

48	For the salaries of the chief justice and of the thirty-one associate justices, a sum not exceeding three hundred eighty-five thousand dollars	\$385,000 00
49	For traveling allowances and expenses, a sum not exceeding sixteen thousand dollars	16,000 00
50	For the salary of the assistant clerk, Suffolk county, a sum not exceeding one thousand dollars	1,000 00
51	For clerical work, inspection of records and doings of persons authorized to admit to bail, for an executive clerk to the chief justice, and for certain other expenses incident to the work of the court, a sum not exceeding eleven thousand six hundred dollars	11,600 00
52	For pensions of retired justices, a sum not exceeding six thousand dollars	6,000 00
	Total	\$419,600 00

Justices of District Courts:

53	For compensation of justices of district courts while sitting in the superior court, a sum not exceeding twenty-two thousand dollars	\$22,000 00
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Item		
54	For expenses of justices of district courts while sitting in the superior court, a sum not exceeding twenty-six hundred dollars	\$2,600 00
55	For reimbursing certain counties for compensation of certain special justices for services in holding sessions of district courts in place of the justice, while sitting in the superior court, a sum not exceeding seven thousand dollars	7,000 00
	Total	<u>\$31,600 00</u>
	Judicial Council:	
56	For expenses of the judicial council, as authorized by section thirty-four C of chapter two hundred and twenty-one of the General Laws, as appearing in the Tercentenary Edition thereof, a sum not exceeding five hundred dollars	\$500 00
57	For compensation of the secretary of the judicial council, as authorized by said section thirty-four C of said chapter two hundred and twenty-one, a sum not exceeding thirty-five hundred dollars	3,500 00
	Total	<u>\$4,000 00</u>
	Administrative Committee of District Courts:	
58	For compensation and expenses of the administrative committee of district courts, a sum not exceeding twenty-five hundred dollars	\$2,500 00
	Probate and Insolvency Courts, as follows:	
59	For the salaries of judges of probate of the several counties, a sum not exceeding one hundred twenty-seven thousand five hundred dollars	\$127,500 00
60	For pensions of retired judges, a sum not exceeding sixty-three hundred and seventy-five dollars	6,375 00
61	For the compensation of judges of probate when acting for other judges of probate, a sum not exceeding eight thousand dollars	8,000 00
62	For expenses of judges of probate when acting for other judges of probate, a sum not exceeding five hundred dollars	500 00
63	For the salaries of registers of the several counties, a sum not exceeding sixty-three thousand three hundred dollars	63,300 00
64	For the salaries of assistant registers, a sum not exceeding seventy-four thousand nine hundred and fifty-five dollars	74,955 00
	Total	<u>\$280,630 00</u>
	Administrative Committee of Probate Courts:	
65	For expenses of the administrative committee of probate courts, a sum not exceeding five hundred dollars	\$500 00
	For clerical assistance to Registers of the several counties, as follows:	
66	Barnstable, a sum not exceeding twenty-six hundred and eighty dollars	\$2,680 00
67	Berkshire, a sum not exceeding fifty-one hundred dollars	5,100 00
68	Bristol, a sum not exceeding fourteen thousand four hundred and ninety dollars	14,490 00

Item		
69	Dukes County, a sum not exceeding six hundred and sixty dollars	\$660 00
70	Essex, a sum not exceeding nineteen thousand six hundred dollars	19,600 00
71	Franklin, a sum not exceeding ten hundred and fifty dollars	1,050 00
72	Hampden, a sum not exceeding twelve thousand five hundred and forty dollars	12,540 00
73	Hampshire, a sum not exceeding sixteen hundred and eighty dollars	1,680 00
74	Middlesex, a sum not exceeding forty-seven thousand three hundred dollars	47,300 00
75	Norfolk, a sum not exceeding fifteen thousand one hundred and fifty dollars	15,150 00
76	Plymouth, a sum not exceeding forty-seven hundred and forty-six dollars	4,746 00
77	Suffolk, a sum not exceeding sixty-one thousand eight hundred dollars	61,800 00
78	Worcester, a sum not exceeding fifteen thousand four hundred dollars	15,400 00
	Total	\$202,196 00

District Attorneys, as follows:

79	For the salaries of the district attorney and assistants for the Suffolk district, a sum not exceeding sixty-six thousand dollars	\$66,000 00
80	For the salaries of the district attorney and assistants for the northern district, a sum not exceeding thirty-two thousand dollars	32,000 00
81	For the salaries of the district attorney and assistants for the eastern district, a sum not exceeding seventeen thousand four hundred dollars	17,400 00
82	For the salaries of the district attorney, deputy district attorney and assistants for the southeastern district, a sum not exceeding eighteen thousand six hundred dollars	18,600 00
83	For the salaries of the district attorney and assistants for the southern district, a sum not exceeding ten thousand four hundred dollars	10,400 00
84	For the salaries of the district attorney and assistants for the middle district, a sum not exceeding fifteen thousand dollars	15,000 00
85	For the salaries of the district attorney and assistants for the western district, a sum not exceeding ten thousand four hundred dollars	10,400 00
86	For the salary of the district attorney for the northwestern district, a sum not exceeding four thousand dollars	4,000 00
87	For traveling expenses necessarily incurred by the district attorneys, except in the Suffolk district, for the present and previous years, a sum not exceeding seven thousand dollars	7,000 00
	Total	\$180,800 00

Service of the Land Court.

88	For the salaries of the judge, associate judges, the recorder and court officer, a sum not exceeding thirty-eight thousand nine hundred and eighty-four dollars	\$38,984 00
89	For engineering, clerical and other personal services, a sum not exceeding forty-two thousand six hundred and forty dollars	42,640 00

Item

90	For personal services in the examination of titles, for publishing and serving citations and other services, traveling expenses, supplies and office equipment, and for the preparation of sectional plans showing registered land, a sum not exceeding fourteen thousand dollars	\$14,000 00
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Total	\$95,624 00
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Service of the Board of Probation.

91	For personal services of the commissioner, clerks and stenographers, a sum not exceeding fifty-nine thousand five hundred dollars	\$59,500 00
92	For services other than personal, including printing the annual report, traveling expenses, rent, office supplies and equipment, a sum not exceeding thirteen thousand three hundred dollars	13,300 00

Total	\$72,800 00
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Service of the Board of Bar Examiners.

93	For personal services of the members of the board, a sum not exceeding twelve thousand five hundred dollars	\$12,500 00
94	For other services, including printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding eight thousand dollars	8,000 00

Total	\$20,500 00
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Service of the Executive Department.

95	For the salary of the governor, a sum not exceeding ten thousand dollars	\$10,000 00
96	For the salary of the lieutenant governor, a sum not exceeding four thousand dollars	4,000 00
97	For the salaries of the eight councillors, a sum not exceeding eight thousand dollars	8,000 00
98	For the salaries of officers and employees of the department, a sum not exceeding forty-six thousand five hundred dollars	46,500 00
99	For certain personal services for the lieutenant governor and council, a sum not exceeding six thousand dollars	6,000 00
100	For travel and expenses of the lieutenant governor and council from and to their homes, a sum not exceeding one thousand dollars	1,000 00
101	For postage, printing, office and other contingent expenses, including travel of the governor, a sum not exceeding thirty thousand dollars	30,000 00
102	For postage, printing, stationery, traveling and contingent expenses of the governor and council, a sum not exceeding twenty-five hundred dollars	2,500 00
103	For expenses incurred in the arrest of fugitives from justice, a sum not exceeding one thousand dollars	1,000 00
104	For payment of extraordinary expenses and for transfers made to cover deficiencies, with the approval of the governor and council, a sum not exceeding one hundred thousand dollars	100,000 00
105	For the purchase of an automobile for the governor, a sum not exceeding twenty-three hundred dollars	2,300 00
106	For certain maintenance expenses of the governor's automobile, a sum not exceeding two thousand dollars	2,000 00

Item

107	For the purchase of a portrait of a former governor, as authorized by section nineteen of chapter eight of the General Laws, as appearing in the Tercentenary Edition thereof, a sum not exceeding three thousand dollars	\$3,000 00
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Total	\$216,300 00
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Service of the Adjutant General.

108	For the salary of the adjutant general, a sum not exceeding thirty-eight hundred and fifty dollars	\$3,850 00
109	For personal services of office assistants, including services for the preparation of records of Massachusetts soldiers and sailors, a sum not exceeding thirty-three thousand nine hundred and fifty dollars	33,950 00
110	For services other than personal, and for necessary office supplies and expenses, a sum not exceeding five thousand dollars	5,000 00
111	For expenses of the national guard convention and for expenses not otherwise provided for in connection with military matters and accounts, a sum not exceeding ten thousand five hundred dollars	10,500 00

Total	\$53,300 00
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Service of the Militia.

112	For allowances to companies and other administrative units, a sum not exceeding one hundred fifty-nine thousand dollars	\$159,000 00
113	For the cost of materials and equipment and incidental expenses of training persons in the use of chemical gas, a sum not exceeding twenty-five hundred dollars	2,500 00
114	For certain allowances for national guard officers, as authorized by paragraph (d) of section one hundred and forty-five of chapter thirty-three of the General Laws, as appearing in the Tercentenary Edition thereof, a sum not exceeding twenty-four thousand dollars	24,000 00
115	For pay and transportation of certain boards, a sum not exceeding thirty-five hundred dollars	3,500 00
116	For pay and expenses of certain camps of instruction, a sum not exceeding three thousand dollars	3,000 00
117	For pay and transportation in making inspections and surveys, and for escort duty, a sum not exceeding thirty-five hundred dollars	3,500 00
118	For transportation of officers and non-commissioned officers for attendance at military meetings, a sum not exceeding thirty-five hundred dollars	3,500 00
119	For transportation to and from regimental and battalion drills, a sum not exceeding one thousand dollars	1,000 00
120	For transportation when appearing for examination, a sum not exceeding one hundred dollars	100 00
121	For expenses of rifle practice, a sum not exceeding fifteen thousand dollars	15,000 00
122	For compensation, transportation and expenses in the preparation for camp duty maneuvers, a sum not exceeding thirty thousand dollars	30,000 00
123	For maintenance of horses, a sum not exceeding six thousand and ninety-six dollars	6,096 00
124	For compensation for special and miscellaneous duty, a sum not exceeding thirteen thousand three hundred dollars	13,300 00

Item		
125	For compensation for accidents and injuries sustained in the performance of military duty, a sum not exceeding eight thousand dollars	\$8,000 00
126	To cover certain small claims for damages to private property arising from military maneuvers, a sum not exceeding five hundred dollars	500 00
127	For expenses of maintaining an aero squadron, a sum not exceeding four thousand dollars	4,000 00
128	For premiums on bonds for officers, a sum not exceeding seventeen hundred dollars	1,700 00
129	For instruction in military authority, organization and administration, and in the elements of military art, a sum not exceeding thirteen thousand five hundred dollars	13,500 00
130	For allowances for batteries of field artillery, a sum not exceeding sixty-four hundred dollars	6,400 00
131	For expenses of operation of the twenty-sixth division, a sum not exceeding forty-five hundred dollars	4,500 00
132	For clerical and other expenses for the office of the property and disbursing officer, a sum not exceeding fifty-six hundred dollars	5,600 00
133	For personal services necessary for the operation of the commonwealth depot and motor repair park, a sum not exceeding thirty-six thousand nine hundred and sixty dollars	36,960 00
134	(This item combined with Item No. 145.)	
	Total	\$345,656 00

Service of Special Military Expenses.

135	For the expense of furnishing certificates of honor for service on the Mexican border, as authorized by law, a sum not exceeding fifteen dollars	\$15 00
136	For the expense of testimonials to soldiers and sailors of the world war, to be expended under the direction of the adjutant general, a sum not exceeding two hundred and fifty dollars	250 00
	Total	\$265 00

Service of the State Quartermaster.

137	For personal services of the state quartermaster, superintendent of arsenal and certain other employees of the state quartermaster, a sum not exceeding twenty-one thousand seven hundred and thirty dollars	\$21,730 00
138	For expert assistance, the employment of which may be exempt from civil service rules, in the disbursement of certain money to the officers and enlisted men of the militia for compensation and allowances, a sum not exceeding twelve hundred dollars	1,200 00
139	For the salaries of armorers and assistant armorers of first-class armories, and superintendent of armories, a sum not exceeding one hundred thirty-nine thousand one hundred and sixty dollars	139,160 00
140	For certain incidental military expenses of the quartermaster's department, a sum not exceeding three hundred and fifty dollars	350 00
141	For office and general supplies and equipment, a sum not exceeding ninety-five hundred dollars	9,500 00
142	For the care and maintenance of the camp ground and buildings at Framingham, a sum not exceeding five hundred dollars	500 00

Item		
143	For the maintenance of armories of the first class, including the purchase of certain furniture, a sum not exceeding one hundred ninety-five thousand dollars	\$195,000 00
144	For reimbursement for rent and maintenance of armories not of the first class, a sum not exceeding fifty-one hundred dollars	5,100 00
145	For expense of maintaining and operating the Camp Curtis Guild rifle range, a sum not exceeding twenty thousand six hundred and twenty dollars	20,620 00
146	For maintenance, other than personal services, of the commonwealth depot and motor repair park, a sum not exceeding fifteen thousand five hundred dollars	15,500 00
	Total	<u>\$408,660 00</u>

Service of the State Surgeon.

147	For personal services of the state surgeon, and regular assistants, a sum not exceeding seven thousand and twenty dollars	\$7,020 00
148	For services other than personal, and for necessary medical and office supplies and equipment, a sum not exceeding two thousand dollars	2,000 00
149	For the examination of recruits, a sum not exceeding eight thousand dollars	8,000 00
	Total	<u>\$17,020 00</u>

Service of the State Judge Advocate.

150	For compensation of the state judge advocate, as provided by law, a sum not exceeding fifteen hundred dollars	\$1,500 00
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Service of the Commission on Administration and Finance.

151	For personal services of the commissioners, a sum not exceeding twenty-six thousand five hundred dollars	\$26,500 00
152a	For personal services of the bureau of the comptroller, a sum not exceeding ninety-two thousand and ninety dollars	92,090 00
152b	For personal services of the bureau of the purchasing agent, a sum not exceeding sixty-eight thousand six hundred and thirty dollars	68,630 00
152c	For other personal services of the commission, a sum not exceeding fifty-three thousand three hundred and eighty dollars	53,380 00
153	For other expenses incidental to the duties of the commission, a sum not exceeding twenty-seven thousand dollars	27,000 00
	Total	<u>\$267,600 00</u>

Purchase of paper:

154	For the purchase of paper used in the execution of the contracts for state printing, other than legislative, with the approval of the commission on administration and finance, a sum not exceeding forty-nine thousand dollars	\$49,000 00
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Service of the Armory Commissioners.

155	For compensation of members, a sum not exceeding nine hundred dollars	\$900 00
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Item		
156	For office, incidental, and traveling expenses, a sum not exceeding one hundred dollars	\$100 00
157	For final payment on account of the purchase of certain land in the town of Natick, including interest thereon, a sum not exceeding twenty-three thousand eight hundred and five dollars	23,805 00
	Total	\$24,805 00

Service of the Commissioner of State Aid and Pensions.

158	For personal services of the commissioner and deputies, a sum not exceeding twelve thousand three hundred and seventy dollars	\$12,370 00
159	For personal services of agents, clerks, stenographers and other assistants, a sum not exceeding twenty-eight thousand dollars	28,000 00
160	For services other than personal, including printing the annual report, traveling expenses of the commissioner and his employees, and necessary office supplies and equipment, a sum not exceeding five thousand dollars	5,000 00
	Total	\$45,370 00

For Expenses on Account of Wars.

161	For reimbursing cities and towns for money paid on account of state and military aid to Massachusetts soldiers and their families, the sum of three hundred fifty-two thousand dollars, the same to be paid on or before the fifteenth day of November in the current year, in accordance with the provisions of existing laws relative to state and military aid	\$352,000 00
162	For certain care of veterans of the civil war, their wives and widows, as authorized by section twenty-five of chapter one hundred and fifteen of the General Laws, as appearing in the Tercentenary Edition thereof, a sum not exceeding twenty-seven thousand dollars	27,000 00
163	For expenses of printing certain volumes of records of Massachusetts soldiers in the civil war, a sum not exceeding fifty-six hundred dollars, the same to be in addition to any unexpended balance of an appropriation made for the purpose in previous years	5,600 00
	Total	\$384,600 00

Service of the Massachusetts Soldiers' Home.

164	For the maintenance of the Soldiers' Home in Massachusetts, with the approval of the trustees thereof, a sum not exceeding two hundred ninety-four thousand dollars, the same to be in addition to certain receipts from the United States government	\$294,000 00
165	For the cost of finishing the top floor of the nurses' dormitory, a sum not exceeding sixty-five hundred dollars	6,500 00
166	For the cost of renovating Sargent Hall, including a considerable reduction in fire hazard and improvement in the sanitary condition, a sum not exceeding fifty thousand dollars	50,000 00
	Total ,	\$350,500 00

Service of the Art Commission.

Item		
167	For expenses of the commission, a sum not exceeding one hundred and fifty dollars	\$150 00

Service of the Commissioners on Uniform State Laws.

168	For expenses of the commissioners, a sum not exceeding seven hundred and fifty dollars	\$750 00
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For the Maintenance of the Mount Greylock War Memorial.

169	For expenses of maintenance of the Mount Greylock war memorial, as authorized by chapter three hundred and thirty-six of the acts of nineteen hundred and thirty-three, a sum not exceeding twenty-three hundred dollars	\$2,300 00
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Service of the Alcoholic Beverages Control Commission.

The following items shall be payable from fees collected under section twenty-seven of chapter one hundred and thirty-eight of the General Laws, as most recently amended:

170	For personal services, a sum not exceeding one hundred fifteen thousand four hundred dollars; provided, that payments from this appropriation for the services of investigators rendered after May thirty-first in the current year shall not be made to more than twenty-five investigators	\$115,400 00
171	For services other than personal, including rent of offices, travel, and office and incidental expenses, a sum not exceeding forty-four thousand dollars	44,000 00
Total		\$159,400 00

Service of the State Planning Board.

172	For personal services of secretary, chief engineer, and other assistants, a sum not exceeding thirty thousand five hundred dollars	\$30,500 00
173	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding nine thousand dollars	9,000 00
Total		\$39,500 00

Service of the State Library.

174	For personal services of the librarian, a sum not exceeding fifty-seven hundred dollars	\$5,700 00
175	For personal services of the regular library assistants, temporary clerical assistance, and for services for cataloguing, a sum not exceeding forty-one thousand dollars	41,000 00
176	For services other than personal, including printing the annual report, office supplies and equipment, and incidental traveling expenses, a sum not exceeding twenty-three hundred dollars	2,300 00
177	For books and other publications and things needed for the library, and the necessary binding and re-binding incidental thereto, a sum not exceeding ten thousand five hundred dollars	10,500 00
Total		\$59,500 00

Service of the Superintendent of Buildings.

Item		
178	For personal services of the superintendent and office assistants, a sum not exceeding ten thousand seven hundred dollars	\$10,700 00
179	For personal services of engineers, assistant engineers, firemen and helpers in the engineer's department, a sum not exceeding sixty-one thousand eight hundred dollars	61,800 00
180	For personal services of capitol police, a sum not exceeding forty-five thousand one hundred and eighty dollars	45,180 00
181	For personal services of janitors, a sum not exceeding twenty-five thousand and fifty dollars	25,050 00
182	For other personal services incidental to the care and maintenance of the state house, a sum not exceeding eighty-two thousand five hundred and fifty dollars	82,550 00
183	For personal services of the central mailing room, a sum not exceeding seventy-three hundred and eighty-five dollars	7,385 00
	Total	<u>\$232,665 00</u>

Other Annual Expenses:

184	For contingent, office and other expenses of the superintendent, a sum not exceeding three hundred dollars	\$300 00
185	For telephone service in the building and expenses in connection therewith, a sum not exceeding thirty-eight thousand dollars	38,000 00
186	For services, supplies and equipment necessary to furnish heat, light and power, a sum not exceeding forty-four thousand five hundred dollars	44,500 00
187	For other services, supplies and equipment necessary for the maintenance and care of the state house and grounds, including repairs of furniture and equipment, a sum not exceeding thirty-six thousand dollars	36,000 00
188	For office and other expenses of the central mailing room, a sum not exceeding one hundred dollars	100 00
	Total	<u>\$118,900 00</u>

Service of the State Racing Commission.

189	For personal services, a sum not exceeding one hundred forty-seven thousand dollars	\$147,000 00
190	For other administrative expenses, including rent of offices, travel, and office and incidental expenses, a sum not exceeding fifteen thousand five hundred dollars	15,500 00
	Total	<u>\$162,500 00</u>

For the Maintenance of Old State House.

191	For the contribution of the commonwealth toward the maintenance of the old provincial state house, the sum of fifteen hundred dollars	\$1,500 00
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Service of the Secretary of the Commonwealth.

192	For the salary of the secretary, a sum not exceeding seven thousand dollars	\$7,000 00
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Item		
193	For the salaries of officers and employees holding positions established by law, and other personal services, a sum not exceeding one hundred fifteen thousand dollars	\$115,000 00
194	For services other than personal, traveling expenses, office supplies and equipment, for the arrangement and preservation of state records and papers, and for advertising the purpose of sections twenty-eight A to twenty-eight D of chapter six of the General Laws, as amended, a sum not exceeding seventeen thousand dollars	17,000 00
195	For postage and expressage on public documents, and for mailing copies of bills and resolves to certain state, city and town officials, a sum not exceeding three thousand dollars	3,000 00
196	For printing registration books, blanks and indexes, a sum not exceeding one thousand dollars	1,000 00
197	For the purchase of certain supplies and equipment, and for other things necessary in connection with the reproduction of the manuscript collection designated "Massachusetts Archives", a sum not exceeding seventeen hundred dollars	1,700 00
198	For the purchase of ink for public records of the commonwealth, a sum not exceeding one thousand dollars	1,000 00
199	For traveling expenses of the supervisor of public records, a sum not exceeding seven hundred dollars	700 00
	Total	\$146,400 00
	Indexing vital statistics:	
200	For the preparation of certain indexes of births, marriages and deaths, a sum not exceeding nine thousand dollars	\$9,000 00
	For printing laws, etc.:	
201	For printing and distributing the pamphlet edition and for printing and binding the blue book edition of the acts and resolves of the present year, a sum not exceeding thirteen thousand dollars	\$13,000 00
202	For the printing of reports of decisions of the supreme judicial court, a sum not exceeding twelve thousand six hundred and fifty dollars, the same to be in addition to any unexpended balance of an appropriation made for the purpose in the preceding year	12,650 00
203	For printing and binding public documents, a sum not exceeding thirty-seven hundred dollars	3,700 00
	Total	\$29,350 00
	For matters relating to elections:	
204	For personal and other services in preparing for primary elections, and for the expenses of preparing, printing and distributing ballots for primary and other elections, a sum not exceeding six thousand dollars	\$6,000 00
205	For the printing of blanks for town officers, election laws and blanks and instructions on all matters relating to elections, a sum not exceeding four thousand dollars	4,000 00
206	For furnishing cities and towns with ballot boxes, and for repairs to the same; for the purchase of apparatus to be used at polling places in the	

Item		
	canvass and counting of votes; and for providing certain registration facilities, a sum not exceeding twenty-five hundred dollars	\$2,500 00
207	For services and expenses of the electoral college, a sum not exceeding seven hundred and fifty dollars	750 00
	Total	\$13,250 00
	Medical Examiners' Fees:	
208	For medical examiners' fees, as provided by law, a sum not exceeding eleven hundred and twenty-five dollars	\$1,125 00
209	(This item omitted.)	
	<i>Service of the Treasurer and Receiver-General.</i>	
210	For the salary of the treasurer and receiver-general, a sum not exceeding six thousand dollars	\$6,000 00
211	For salaries of officers and employees holding positions established by law and additional clerical and other assistance, a sum not exceeding sixty thousand six hundred dollars	60,600 00
212	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding twenty-one thousand dollars	21,000 00
	Total	\$87,600 00
	Commissioners on Firemen's Relief:	
213	For relief disbursed, with the approval of the commissioners on firemen's relief, subject to the provisions of law, a sum not exceeding seventeen thousand five hundred dollars	\$17,500 00
214	For expenses of administration by the commissioners on firemen's relief, a sum not exceeding five hundred dollars	500 00
	Total	\$18,000 00
	Payments to Soldiers:	
215	For expenses of administering certain laws relating to payments in recognition of military service in the world war, a sum not exceeding thirty-two hundred dollars, to be paid from the receipts from taxes levied under authority of chapters two hundred and eighty-three and three hundred and forty-two of the General Acts of nineteen hundred and nineteen	\$3,200 00
216	For making payments to soldiers in recognition of service during the world war, as provided by law, a sum not exceeding ten thousand dollars, to be paid from receipts from taxes levied as specified in item two hundred and fifteen	10,000 00
217	For payments to soldiers and sailors in the volunteer service of the United States during the Spanish-American war, and to certain of their dependents, as authorized by section one of chapter five hundred and sixty-one of the acts of eighteen hundred and ninety-eight, as amended by section one of chapter four hundred and seventy-one of the acts of eighteen hundred and ninety-nine, a sum not exceeding two hundred dollars	200 00
	Total	\$13,400 00

Item		
	State Board of Retirement:	
218	For personal services in the administrative office of the state board of retirement, a sum not exceeding eleven thousand one hundred and fifty dollars . . .	\$11,150 00
219	For services other than personal, printing the annual report, and for office supplies and equipment, a sum not exceeding sixty-three hundred dollars . . .	6,300 00
220	For requirements of annuity funds and pensions for employees retired from the state service under authority of law, a sum not exceeding two hundred ninety-eight thousand dollars	298,000 00
	Total	\$315,450 00

	Board of Tax Appeals:	
221	For personal services of the members of the board and employees, a sum not exceeding forty-five thousand four hundred and twenty-five dollars . . .	\$45,425 00
222	For services other than personal, traveling expenses, office supplies and equipment, and rent, a sum not exceeding nine thousand dollars	9,000 00
	Total	\$54,425 00

Service of the Emergency Finance Board.

223	For administrative expenses of the emergency finance board, a sum not exceeding seventeen thousand five hundred dollars	\$17,500 00
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Service of the State Emergency Public Works Commission.

224	For expenses of the board appointed to formulate projects or perform any act necessary to enable the commonwealth to receive certain benefits provided by the National Industrial Recovery Act, a sum not exceeding eleven thousand three hundred dollars	\$11,300 00
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Requirements for Extinguishing the State Debt.

225	For sinking fund requirements and for certain serial bonds maturing during the present year, the sum of five million four hundred two thousand seven hundred twenty-two dollars and eighty-three cents, payable from the following accounts and funds in the following amounts:— from the Highway Fund, five million sixty-eight thousand three hundred eighty-nine dollars and fifty cents; and the remainder from the General Fund	\$5,402,722 83
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Interest on the Public Debt.

226	For the payment of interest on the direct debt of the commonwealth, a sum not exceeding eight hundred sixty-eight thousand two hundred thirty-two dollars, of which sum five hundred sixty thousand six hundred sixty-six dollars and twenty-five cents shall be paid from the Highway Fund . . .	\$868,232 00
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Service of the Auditor of the Commonwealth.

227	For the salary of the auditor, a sum not exceeding six thousand dollars	\$6,000 00
228	For personal services of deputies and other assistants, a sum not exceeding sixty-three thousand dollars . . .	63,000 00

Item		
229	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding sixty-five hundred dollars	\$6,500 00
	Total	\$75,500 00

Service of the Attorney General's Department.

230	For the salary of the attorney general, a sum not exceeding eight thousand dollars	\$8,000 00
231	For the compensation of assistants in his office, and for such other legal and personal services as may be required, a sum not exceeding one hundred thirty thousand three hundred dollars	130,300 00
232	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding ten thousand five hundred dollars	10,500 00
233	For the settlement of certain claims, as provided by law, on account of damages by cars owned by the commonwealth and operated by state employees, a sum not exceeding twelve thousand dollars	12,000 00
234	For the settlement of certain small claims, as authorized by section three A of chapter twelve of the General Laws, as appearing in the Tercentenary Edition thereof, a sum not exceeding eight thousand dollars	8,000 00
	Total	\$168,800 00

Service of the Department of Agriculture.

235	For the salary of the commissioner, a sum not exceeding six thousand dollars	\$6,000 00
236	For personal services of clerks and stenographers, a sum not exceeding twenty-six thousand seven hundred dollars	26,700 00
237	For traveling expenses of the commissioner, a sum not exceeding nine hundred dollars	900 00
238	For services other than personal, printing the annual report, office supplies and equipment, and printing and furnishing trespass posters, a sum not exceeding seventy-five hundred dollars	7,500 00
239	For compensation and expenses of members of the advisory board, a sum not exceeding sixteen hundred dollars	1,600 00
240	For services and expenses of apiary inspection, a sum not exceeding two thousand dollars	2,000 00

Division of Dairying and Animal Husbandry:

241	For personal services, a sum not exceeding sixteen thousand six hundred and twenty dollars	16,620 00
242	For other expenses, including the enforcement of the dairy laws of the commonwealth, a sum not exceeding seven thousand dollars	7,000 00
243	For administering the law relative to the inspection of barns and dairies by the department of agriculture, a sum not exceeding twenty-four thousand dollars	24,000 00
244	For expenses of administering sections forty-two A to forty-two K, inclusive, of chapter ninety-four of the General Laws, as appearing in section two of chapter three hundred and thirty-eight of the acts of nineteen hundred and thirty-three and as amended, relative to the licensing and bonding of milk dealers, a sum not exceeding five thousand dollars	5,000 00

Item		
Division of Plant Pest Control:		
245	For personal services, a sum not exceeding seventy-five hundred and eighty dollars	\$7,580 00
246	For other expenses, a sum not exceeding forty-six hundred dollars	4,600 00
Division of Markets:		
247	For personal services, a sum not exceeding thirty-three thousand four hundred and fifty dollars	33,450 00
248	For other expenses, a sum not exceeding ninety-seven hundred dollars	9,700 00
Division of Reclamation, Soil Survey and Fairs:		
249	For personal services, a sum not exceeding eleven thousand one hundred dollars	11,100 00
250	For travel and other expenses, a sum not exceeding fifty-three hundred dollars	5,300 00
251	For state prizes and agricultural exhibits, including allotment of funds for the 4-X club activities, a sum not exceeding thirty thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year	30,000 00
Total		<u>\$199,050 00</u>
Milk Control Board:		
252	For personal services of members of the board and their employees, a sum not exceeding eighty-four thousand dollars	\$84,000 00
252a	For other administrative expenses of the board for the present and the previous year, including office expenses, rent, travel and special services, a sum not exceeding seventy-three thousand dollars	73,000 00
Total		<u>\$157,000 00</u>
Division of Livestock Disease Control:		
253	For the salary of the director, a sum not exceeding four thousand dollars	\$4,000 00
254	For personal services of clerks and stenographers, a sum not exceeding twenty-six thousand six hundred dollars	26,600 00
255	For services other than personal, including printing the annual report, traveling expenses of the director, office supplies and equipment, and rent, a sum not exceeding ten thousand five hundred dollars	10,500 00
256	For personal services of veterinarians and agents engaged in the work of extermination of contagious diseases among domestic animals, a sum not exceeding seventy-three thousand dollars	73,000 00
257	For traveling expenses of veterinarians and agents, including the cost of any motor vehicles purchased for their use, a sum not exceeding twenty-one thousand dollars	21,000 00
258	For reimbursement of owners of horses killed during the present and previous years, travel, when allowed, of inspectors of animals, incidental expenses of killing and burial, quarantine and emergency services, and for laboratory and veterinary supplies and equipment, a sum not exceeding forty-eight hundred dollars	4,800 00

Item		
259	For reimbursement of owners of tubercular cattle killed, as authorized by section twelve A of chapter one hundred and twenty-nine of the General Laws, as appearing in the Tercentenary Edition thereof, and in accordance with certain provisions of law and agreements made under authority of section thirty-three of said chapter one hundred and twenty-nine, as amended, during the present and the previous year, a sum not exceeding thirty-one thousand four hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year . . .	\$31,400 00
	Total	\$171,300 00
	Reimbursement of towns for inspectors of animals:	
260	For the reimbursement of certain towns for compensation paid to inspectors of animals, a sum not exceeding fifty-two hundred dollars . . .	\$5,200 00
	Specials:	
261	For work in protecting the pine trees of the commonwealth from white pine blister rust, and for payments of claims on account of currant and gooseberry bushes destroyed in the work of suppressing white pine blister rust, a sum not exceeding three thousand dollars . . .	\$3,000 00
262	For quarantine and other expenses in connection with the work of suppression of the European corn-borer, so called, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	3,000 00
263	For quarantine and other expenses in connection with the work of suppression of the Japanese beetle, so called, a sum not exceeding thirty-four hundred dollars . . .	3,400 00
264	For the cost of work of inspecting certain orchards of the commonwealth to provide for effective apple pest control, a sum not exceeding twenty-five hundred dollars . . .	2,500 00
	Total	\$11,900 00
	State Reclamation Board:	
265	For expenses of the board, a sum not exceeding fourteen thousand dollars . . .	\$14,000 00
266	For the maintenance and construction of drainage ditches, as authorized by chapter three hundred and fifteen of the acts of nineteen hundred and thirty-one, as amended by section one of chapter two hundred and fifty of the acts of nineteen hundred and thirty-five, a sum not exceeding thirty-three thousand eight hundred dollars, the same to be assessed upon certain towns as required by law and to be in addition to any amount heretofore appropriated for the purpose . . .	33,800 00
	Total	\$47,800 00

Service of the Department of Conservation.

Item		
	Administration:	
267	For the salary of the commissioner, a sum not exceeding six thousand dollars	\$6,000 00
268	For traveling expenses of the commissioner, a sum not exceeding sixteen hundred and fifty dollars	1,650 00
269	For telephone service and certain other office charges of the department, a sum not exceeding twenty-five hundred dollars	2,500 00
270	For personal services of a telephone operator and office boy, a sum not exceeding twenty-one hundred and thirty dollars	2,130 00
	Total	<hr/> \$12,280 00
	Division of Forestry:	
271	For personal services of office assistants, a sum not exceeding fourteen thousand eight hundred dollars	\$14,800 00
272	For services other than personal, including printing the annual report, and for traveling expenses, necessary office supplies and equipment, and rent, a sum not exceeding ninety-eight hundred dollars	9,800 00
273	For aiding towns in the purchase of equipment for extinguishing forest fires and for making protective belts or zones as a defence against forest fires, for the present and previous years, a sum not exceeding one thousand dollars	1,000 00
274	For personal services of the state fire warden and his assistants, and for other services, including traveling expenses of the state fire warden and his assistants, necessary supplies and equipment and materials used in new construction in the forest fire prevention service, a sum not exceeding sixty-four thousand dollars, the same to be in addition to any funds allotted to Massachusetts by the federal authorities	64,000 00
275	For the suppression of the gypsy and brown tail moths, and for expenses incidental thereto, a sum not exceeding forty-five thousand two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year	45,200 00
276	For the development of state forests, including salaries and expenses of foresters and the cost of maintenance of such nurseries as may be necessary for the growing of seedlings for the planting of state forests, as authorized by sections one, six, nine and thirty to thirty-six, inclusive, of chapter one hundred and thirty-two of the General Laws, as amended, a sum not exceeding one hundred seventy-one thousand dollars, the same to be in addition to any amount heretofore appropriated for this purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year	171,000 00
277	For reimbursement to certain towns, as authorized by section twenty-four of chapter forty-eight of the General Laws, as appearing in the Tercentenary Edition thereof, a sum not exceeding three hundred dollars	300 00

Item		
278	For the expenses of forest fire patrol, as authorized by section twenty-eight A of said chapter forty-eight, as so appearing, a sum not exceeding twenty-five hundred and sixty dollars	\$2,560 00
278a	For expenses, including certain equipment, of forest fire patrol, as authorized by section twenty-eight A of said chapter forty-eight, as so appearing, a sum not exceeding two thousand dollars	2,000 00
Total		\$310,660 00
Division of Parks:		
279	For personal services, a sum not exceeding seventy-four hundred dollars	\$7,400 00
280	For other expenses, a sum not exceeding seventy-one hundred dollars	7,100 00
281	For the maintenance of the Standish monument reservation, a sum not exceeding two thousand dollars	2,000 00
Total		\$16,500 00
Salisbury Beach Reservation:		
282	For the maintenance of Salisbury beach reservation, a sum not exceeding seventeen thousand five hundred dollars, the same to be assessed upon the cities and towns of the commonwealth, exclusive of those comprising the metropolitan parks district, but including Cohasset, in the manner provided in section four of chapter one hundred and thirty-two A of the General Laws, as appearing in the Tercentenary Edition thereof	\$17,500 00
282a	For expenses of certain Works Progress Administration projects for improvements at Salisbury beach, a sum not exceeding ten thousand dollars	10,000 00
Division of Fisheries and Game:		
283	For the salary of the director, a sum not exceeding five thousand dollars	5,000 00
284	For personal services of office assistants, a sum not exceeding twenty-two thousand dollars	22,000 00
285	For services other than personal, including printing the annual report, traveling expenses and necessary office supplies and equipment, and rent, a sum not exceeding eleven thousand dollars	11,000 00
286	For expenses of exhibitions and other measures to increase the interest of the public in the protection and propagation of fish and game, a sum not exceeding fifteen hundred dollars	1,500 00
Enforcement of laws:		
287	For personal services of fish and game wardens, a sum not exceeding seventy-three thousand four hundred and seventy dollars	73,470 00
288	For traveling expenses of fish and game wardens, and for other expenses necessary for the enforcement of the laws, a sum not exceeding thirty-one thousand one hundred dollars	31,100 00
Biological work:		
289	For personal services to carry on biological work, a sum not exceeding sixty-four hundred dollars	6,400 00
290	For traveling and other expenses of the biologist and his assistants, a sum not exceeding twenty-five hundred dollars	2,500 00

Item		
	Propagation of game birds, etc.:	
291	For personal services of employees at game farms and fish hatcheries, a sum not exceeding sixty-six thousand one hundred dollars	\$66,100 00
292	For other maintenance expenses of game farms and fish hatcheries, and for the propagation of game birds and animals and food fish, a sum not exceeding sixty-one thousand five hundred dollars	61,500 00
	Damages by wild deer and wild moose:	
293	For the payment of damages caused by wild deer and wild moose, for the present year and previous years, as provided by law, a sum not exceeding sixty-five hundred dollars	6,500 00
	Supervision of public fishing and hunting grounds:	
294	For personal services, a sum not exceeding five thousand dollars	5,000 00
295	For other expenses, a sum not exceeding fourteen hundred and fifty dollars	1,450 00
296	(This item omitted.)	
297	For expenses of providing for the establishment of public fishing grounds, a sum not exceeding thirty-five hundred dollars	3,500 00
	Protection of wild life:	
298	For expenses incurred in the protection of certain wild life, a sum not exceeding fifty-six hundred and fifty dollars	5,650 00
	Marine fisheries:	
299	For personal services for regulating the sale and cold storage of fresh food fish, a sum not exceeding fifteen thousand eight hundred dollars	15,800 00
300	For other expenses of regulating the sale and cold storage of fresh food fish, a sum not exceeding forty-two hundred dollars	4,200 00
	State Supervisor of Marine Fisheries:	
301	For personal services of the state supervisor of marine fisheries and his assistants, a sum not exceeding thirteen thousand three hundred and fifty dollars	13,350 00
302	For office and other expenses of the state supervisor of marine fisheries, a sum not exceeding eighty-five hundred dollars	8,500 00
	Enforcement of shellfish and other marine fishery laws:	
303	For personal services for the administration and enforcement of laws relative to shellfish and other marine fisheries, a sum not exceeding thirty-three thousand five hundred dollars	33,500 00
304	For other expenses for the administration and enforcement of laws relative to shellfish and other marine fisheries, a sum not exceeding fifteen thousand five hundred dollars	15,500 00
305	For expenses of purchasing lobsters, subject to the conditions imposed by section twenty-six of chapter one hundred and thirty of the General Laws, as appearing in section two of chapter three hundred and twenty-nine of the acts of nineteen hundred and thirty-three, a sum not exceeding six thousand dollars	6,000 00

Item		
306	For the cost of assisting coastal cities and towns in the propagation of food fish and the suppression of enemies thereof, as authorized by section three A of chapter one hundred and thirty of the General Laws, inserted therein by chapter three hundred and twenty-four of the acts of nineteen hundred and thirty-five, a sum not exceeding twenty thousand dollars	\$20,000 00
	Total	\$419,520 00
	Bounty on seals:	
307	For bounties on seals, a sum not exceeding fifteen hundred dollars	\$1,500 00
	<i>Service of the Department of Banking and Insurance.</i>	
	Division of Banks:	
308	For the salary of the commissioner, a sum not exceeding six thousand dollars	\$6,000 00
309	For services of deputy, directors, examiners and assistants, clerks, stenographers and experts, a sum not exceeding three hundred thirty-five thousand dollars	335,000 00
310	For services other than personal, printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding sixty-five thousand dollars	65,000 00
	Total	\$406,000 00
	Supervisor of Loan Agencies:	
311	For personal services of supervisor and assistants, a sum not exceeding thirteen thousand five hundred and forty dollars	\$13,540 00
312	For services other than personal, printing the annual report, office supplies and equipment, a sum not exceeding sixteen hundred dollars	1,600 00
	Total	\$15,140 00
	Division of Insurance:	
313	For the salary of the commissioner, a sum not exceeding six thousand dollars	\$6,000 00
314	For other personal services of the division, including expenses of the board of appeal and certain other costs of supervising motor vehicle liability insurance, a sum not exceeding two hundred thirty-six thousand dollars, of which sum not more than thirty-five thousand dollars may be charged to the Highway Fund	236,000 00
315	For other services, including printing the annual report, traveling expenses, necessary office supplies and equipment, and rent of offices, a sum not exceeding sixty-one thousand dollars	61,000 00
	Total	\$303,000 00
	Board of Appeal on Fire Insurance Rates:	
316	For expenses of the board, a sum not exceeding one thousand dollars	\$1,000 00
	Division of Savings Bank Life Insurance:	
317	For personal services of officers and employees, a sum not exceeding forty-six thousand dollars	\$46,000 00

Item

318	For services other than personal, printing the annual report, traveling expenses, rent, publicity and equipment, a sum not exceeding fifteen thousand three hundred dollars	\$15,300 00
	Total	\$61,300 00

Service of the Department of Corporations and Taxation.

Corporations and Tax Divisions:

319	For the salary of the commissioner, a sum not exceeding seventy-five hundred dollars	\$7,500 00
320	For the salaries of certain positions filled by the commissioner, with the approval of the governor and council, and for additional clerical and other assistance, a sum not exceeding two hundred forty-nine thousand dollars, of which sum not more than fifty thousand dollars may be charged to the Highway Fund to cover the estimated cost of collection of the gasoline tax, so called, and not more than fifty thousand dollars may be payable from fees collected under section twenty-seven of chapter one hundred and thirty-eight of the General Laws, as amended, to cover the estimated cost of collection of alcoholic beverages taxes, so called	249,000 00
321	For other services, necessary office supplies and equipment, travel, and for printing the annual report, other publications and valuation books, a sum not exceeding forty-five thousand dollars	45,000 00
322	For expenses of the department for legal services, evidence and other information relative to a certain domicile case, a sum not exceeding fifteen thousand dollars	15,000 00
	Total	\$316,500 00

Income Tax Division (the two following appropriations are to be made from the receipts from the income tax):

323	For personal services of the director, assistant director, assessors, deputy assessors, clerks, stenographers and other necessary assistants, a sum not exceeding five hundred seven thousand dollars	\$507,000 00
324	For services other than personal, and for traveling expenses, office supplies and equipment, a sum not exceeding one hundred seventy thousand dollars	170,000 00
	Total	\$677,000 00

Division of Accounts:

325	For personal services, a sum not exceeding ninety-eight thousand six hundred dollars	\$98,600 00
326	For other expenses, a sum not exceeding twelve thousand dollars	12,000 00
327	For services and expenses of auditing and installing systems of municipal accounts, the cost of which is to be assessed upon the municipalities for which the work is done, a sum not exceeding one hundred seventy-seven thousand dollars	177,000 00
328	For the expenses of certain books, forms and other material, which may be sold to cities and towns requiring the same for maintaining their system of accounts, a sum not exceeding twenty-one thousand dollars	21,000 00

Item		
329	For the administrative expenses of the county personnel board, a sum not exceeding seven thousand dollars	\$7,000 00
	Total	\$315,600 00
	Reimbursement for loss of taxes:	
330	For reimbursing cities and towns for loss of taxes on land used for state institutions and certain other state activities, as certified by the commissioner of corporations and taxation for the fiscal year ending November thirtieth, nineteen hundred and thirty-seven, a sum not exceeding one hundred fifty-nine thousand dollars	\$159,000 00
	<i>Service of the Department of Education.</i>	
331	For the salary of the commissioner, a sum not exceeding nine thousand dollars	\$9,000 00
332	For personal services of officers, agents, clerks, stenographers and other assistants, but not including those employed in university extension work, a sum not exceeding one hundred seven thousand nine hundred dollars	107,900 00
333	For traveling expenses of members of the advisory board and of agents and employees when required to travel in discharge of their duties, a sum not exceeding seven thousand dollars	7,000 00
334	For services other than personal, necessary office supplies, and for printing the annual report and bulletins as provided by law, a sum not exceeding ninety-three hundred dollars	9,300 00
335	For expenses incidental to furnishing school committees with rules for testing the sight and hearing of pupils, a sum not exceeding three hundred dollars	300 00
336	For printing school registers and other school blanks for cities and towns, a sum not exceeding two thousand dollars	2,000 00
337	For assisting small towns in providing themselves with school superintendents, as provided by law, a sum not exceeding one hundred six thousand dollars	106,000 00
338	For the reimbursement of certain towns for the payment of tuition of pupils attending high schools outside the towns in which they reside, as provided by law, a sum not exceeding one hundred ninety thousand dollars	190,000 00
339	For the reimbursement of certain towns for the transportation of pupils attending high schools outside the towns in which they reside, as provided by law, a sum not exceeding two hundred ten thousand dollars	210,000 00
340	For the reimbursement of certain cities and towns for a part of the expense of maintaining agricultural and industrial vocational schools, as provided by law, a sum not exceeding one million four hundred three thousand eight hundred eighty-eight dollars and fifty-nine cents	1,403,888 59
341	For the expense of promotion of vocational rehabilitation in co-operation with the federal government, including rent, with the approval of the department of education, a sum not exceeding fifty-one thousand dollars	51,000 00

Item		
342	For aid to certain persons receiving instruction in the courses for vocational rehabilitation, as authorized by section twenty-two B of chapter seventy-four of the General Laws, as appearing in the Tercentenary Edition thereof, a sum not exceeding four thousand dollars	\$4,000 00
343	For the training of teachers for vocational schools, to comply with the requirements of federal authorities under the provisions of the Smith-Hughes act, so called, a sum not exceeding thirty-one thousand dollars	31,000 00
344	For the education of deaf and blind pupils of the commonwealth, as provided by section twenty-six of chapter sixty-nine of the General Laws, as amended, a sum not exceeding four hundred sixty thousand dollars	460,000 00
345	For expenses of holding teachers' institutes, a sum not exceeding two thousand dollars	2,000 00
346	For aid to certain pupils in state teachers' colleges, under the direction of the department of education, a sum not exceeding four thousand dollars	4,000 00
347	For assistance to the children of certain war veterans, for the present and previous years, as authorized by chapter two hundred and sixty-three of the acts of nineteen hundred and thirty, a sum not exceeding eighty-five hundred dollars	8,500 00
	Total	\$2,605,888 59
	English-speaking Classes for Adults:	
348	For personal services of administration, a sum not exceeding eleven thousand six hundred and seventy dollars	\$11,670 00
349	For other expenses of administration, a sum not exceeding twenty-five hundred dollars	2,500 00
350	For reimbursement of certain cities and towns, a sum not exceeding sixty thousand dollars	60,000 00
	Total	\$74,170 00
	University Extension Courses:	
351	For personal services, a sum not exceeding one hundred thirty-nine thousand dollars	\$139,000 00
352	For other expenses, a sum not exceeding thirty-three thousand dollars	33,000 00
	Total	\$172,000 00
	Special:	
353	For the cost of publishing historical and other data relative to the centennial of the birth of Horace Mann, a sum not exceeding eight thousand dollars	\$8,000 00
	Division of Immigration and Americanization:	
354	For personal services, a sum not exceeding forty-three thousand one hundred dollars	\$43,100 00
355	For other expenses, a sum not exceeding sixty-six hundred dollars	6,600 00
	Total	\$49,700 00
	Division of Public Libraries:	
356	For personal services of regular agents and office assistants, a sum not exceeding eleven thousand three hundred dollars	\$11,300 00

Item		
357	For other services, including printing the annual report, traveling expenses, necessary office supplies and expenses incidental to the aiding of public libraries, a sum not exceeding ten thousand dollars	\$10,000 00
	Total	\$21,300 00
	Division of the Blind:	
358	For general administration, furnishing information, industrial and educational aid, and for carrying out certain provisions of the laws establishing said division, a sum not exceeding fifty thousand one hundred dollars	\$50,100 00
359	For the maintenance of local shops, a sum not exceeding seventy thousand dollars	70,000 00
360	For maintenance of Woolson House industries, so called, to be expended under the authority of said division, a sum not exceeding thirty-nine thousand dollars	39,000 00
361	For the maintenance of certain industries for men, to be expended under the authority of said division, a sum not exceeding one hundred sixty-five thousand dollars	165,000 00
362	For instruction of the adult blind in their homes, a sum not exceeding nineteen thousand five hundred dollars	19,500 00
363	For expenses of providing sight-saving classes, with the approval of said division, a sum not exceeding twenty thousand seven hundred and fifty dollars	20,750 00
364	For aiding the adult blind, subject to the conditions provided by law, a sum not exceeding one hundred fifty thousand dollars	150,000 00
365	For expenses of administering and operating the service of piano tuning and mattress renovating under section twenty-five of chapter sixty-nine of the General Laws, as amended by chapter three hundred and ninety-seven of the acts of nineteen hundred and thirty-five, a sum not exceeding twenty-two thousand dollars	22,000 00
	Total	\$536,350 00
	Teachers' Retirement Board:	
366	For personal services of employees, a sum not exceeding twelve thousand seven hundred dollars	\$12,700 00
367	For services other than personal, including printing the annual report, traveling expenses, office supplies and equipment, and rent, a sum not exceeding sixty-two hundred dollars	6,200 00
368	For payment of pensions to retired teachers, a sum not exceeding one million two hundred five thousand dollars	1,205,000 00
369	For reimbursement of certain cities and towns for pensions to retired teachers, a sum not exceeding two hundred seventy-nine thousand six hundred five dollars and nineteen cents	279,605 19
370	For payment into the annuity fund for the period of the year nineteen hundred and thirty-six, in accordance with certain actuarial figures, a sum not exceeding thirty-four thousand eight hundred eighty-nine dollars and eighty-two cents	34,889 82
	Total	\$1,538,395 01

Item

Massachusetts Nautical School:		
371	For personal services of the secretary and office assistants, a sum not exceeding forty-eight hundred and twenty dollars	\$4,820 00
372	For services other than regular clerical services, including printing the annual report, rent, office supplies and equipment, a sum not exceeding twenty-one hundred and eighty dollars	2,180 00
373	For the maintenance of the school and ship, a sum not exceeding ninety-one thousand three hundred and fifty dollars	91,350 00
Total		\$98,350 00

For the maintenance of and for certain improvements at the state teachers' colleges, and the boarding halls attached thereto, with the approval of the commissioner of education, as follows:

374	State teachers' college at Bridgewater, a sum not exceeding one hundred fifty-seven thousand three hundred and fifty dollars	\$157,350 00
375	State teachers' college at Bridgewater, boarding hall, a sum not exceeding fifty-three thousand nine hundred dollars	53,900 00
376	For the replacement and installation of new plumbing equipment at Woodward Hall at the state teachers' college at Bridgewater, a sum not exceeding five thousand dollars	5,000 00
377	State teachers' college at Fitchburg, a sum not exceeding one hundred seventy-seven thousand six hundred and fifty dollars	177,650 00
378	State teachers' college at Fitchburg, boarding hall, a sum not exceeding thirty-three thousand two hundred dollars	33,200 00
379	For replacing and repairing flooring in the corridors and stair treads of the main building at the state teachers' college at Fitchburg, a sum not exceeding four thousand dollars	4,000 00
380	State teachers' college at Framingham, a sum not exceeding one hundred forty-nine thousand nine hundred dollars	149,900 00
381	State teachers' college at Framingham, boarding hall, a sum not exceeding fifty-eight thousand three hundred dollars	58,300 00
382	State teachers' college at Hyannis, a sum not exceeding sixty-six thousand four hundred and twenty-five dollars	66,425 00
383	State teachers' college at Hyannis, boarding hall, a sum not exceeding sixteen thousand eight hundred dollars	16,800 00
384	State teachers' college at Lowell, a sum not exceeding seventy-seven thousand eight hundred dollars	77,800 00
385	State teachers' college at North Adams, a sum not exceeding sixty-three thousand five hundred and twenty-five dollars	63,525 00
386	State teachers' college at North Adams, boarding hall, a sum not exceeding ninety-two hundred dollars	9,200 00
387	State teachers' college at Salem, a sum not exceeding one hundred nineteen thousand nine hundred dollars	119,900 00
388	State teachers' college at Westfield, a sum not exceeding seventy-three thousand and seventy-five dollars	73,075 00

Item		
389	State teachers' college at Westfield, boarding hall, a sum not exceeding seventy-six hundred dollars .	\$7,600 00
390	State teachers' college at Worcester, a sum not exceeding ninety-six thousand six hundred dollars .	96,600 00
391	For the cost of constructing a concrete foot walk between the city street and the main building at the state teachers' college at Worcester, a sum not exceeding twenty-five hundred dollars .	2,500 00
392	Massachusetts School of Art, a sum not exceeding one hundred ten thousand four hundred dollars .	110,400 00
	Total	\$1,283,125 00
	Textile Schools:	
393	For the maintenance of the Bradford Durfee textile school of Fall River, with the approval of the commissioner of education and the trustees, a sum not exceeding sixty-eight thousand one hundred dollars, of which sum ten thousand dollars is to be assessed upon the city of Fall River as a part of the state tax for the current year .	\$68,100 00
394	For the maintenance of the Lowell textile institute, with the approval of the commissioner of education and the trustees, a sum not exceeding one hundred seventy-nine thousand five hundred dollars, of which sum ten thousand dollars is to be assessed upon the city of Lowell as a part of the state tax for the current year .	179,500 00
395	For the cost of constructing a three story addition to the Colonial Avenue building at the Lowell textile institute, with the approval of the commissioner of education and the trustees, a sum not exceeding one hundred fifty thousand dollars .	150,000 00
396	For the maintenance of the New Bedford textile school, with the approval of the commissioner of education and the trustees, a sum not exceeding seventy thousand nine hundred and fifty dollars, of which sum ten thousand dollars is to be assessed upon the city of New Bedford as a part of the state tax for the current year .	70,950 00
	Total	\$468,550 00
	Massachusetts State College:	
397	For maintenance and current expenses of the Massachusetts state college, with the approval of the trustees, a sum not exceeding one million one hundred thousand five hundred seventy-five dollars .	\$1,100,575 00
398	For an emergency fund to meet the needs of harvesting big crops of the control service or other unforeseen conditions, which clearly indicate that additional revenue will be produced to equal the expenditure, a sum not exceeding three thousand dollars; provided, however, that this appropriation be available only after approval of particular projects covered by it has been obtained from the governor and council .	3,000 00
399	For aid to certain students, with the approval of the trustees, a sum not exceeding five thousand dollars .	5,000 00
400	(This item omitted.)	
401	For the construction at Waltham of a propagation house, including head house with glass house and heating unit for nursery research, a sum not exceeding eighty-five hundred dollars .	8,500 00

Item		
402	(This item omitted.)	
403	For improvement of the campus electric distribution system, a sum not exceeding two thousand dollars, and there is hereby added to this appropriation the balance of the appropriation authorized by Item 396 of chapter three hundred and four of the acts of nineteen hundred and thirty-six	\$2,000 00
404	For the cost of completing the biological laboratory at Hatch barn, including certain equipment, a sum not exceeding eighty-five hundred dollars	8,500 00
405	For the cost of certain tiling at the ice cream laboratory in the dairy building, a sum not exceeding four thousand dollars	4,000 00
406	For improved fire protection, including the installation of sprinklers and other safety devices, a sum not exceeding seventy-five hundred dollars	7,500 00
407	For the purchase of additional equipment for the gas generating plant, a sum not exceeding thirty-two hundred dollars	3,200 00
408	For completing the road project authorized by Item 393 of chapter two hundred and forty-nine of the acts of nineteen hundred and thirty-five, a sum not exceeding eight hundred dollars	800 00
409	For the cost of field and laboratory work in connection with the Dutch elm disease and other shade tree diseases and insects, a sum not exceeding five thousand dollars	5,000 00
	Total	\$1,148,075 00

Service of the Department of Civil Service and Registration.

Administration:

410	For personal services of telephone operator of the department and for service of telephone tolls, a sum not exceeding nineteen hundred and sixty dollars	\$1,960 00
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Division of Civil Service:

411	For the salaries of the commissioner and associate commissioners, a sum not exceeding nine thousand dollars	\$9,000 00
412	For other personal services of the division, a sum not exceeding one hundred fifty-one thousand dollars	151,000 00
413	For other services and for printing the annual report, and for office supplies and equipment necessary for the administration of the civil service law, a sum not exceeding twenty-nine thousand dollars	29,000 00
	Total	\$189,000 00

Division of Registration:

414	For the salary of the director, a sum not exceeding twenty-four hundred dollars	\$2,400 00
415	For clerical and certain other personal services of the division, a sum not exceeding fifty thousand three hundred and sixty dollars	50,360 00
416	For services of the division other than personal, printing the annual reports, office supplies and equipment, except as otherwise provided, a sum not exceeding fourteen thousand four hundred dollars	14,400 00
	Total	\$67,160 00

Item		
	Board of Registration in Medicine:	
417	For personal services of the members of the board, a sum not exceeding forty-three hundred dollars	\$4,300 00
418	For personal services of members of the board and examiners for the registration of chiropodists, a sum not exceeding six hundred dollars	600 00
419	For traveling expenses, a sum not exceeding six hundred dollars	600 00
	Total	<u>\$5,500 00</u>
	Board of Dental Examiners:	
420	For personal services of the members of the board, a sum not exceeding thirty-eight hundred dollars	\$3,800 00
421	For traveling expenses, a sum not exceeding nine hundred and fifty dollars	950 00
422	For travel and other expenses necessary in providing for the enforcement of law relative to the registration of dentists, a sum not exceeding eighteen hundred dollars	1,800 00
	Total	<u>\$6,550 00</u>
	Board of Registration in Pharmacy:	
423	For personal services of members of the board, a sum not exceeding forty-three hundred dollars	\$4,300 00
424	For personal services of agents, a sum not exceeding ten thousand four hundred and sixty dollars	10,460 00
425	For traveling expenses, a sum not exceeding six thousand dollars	6,000 00
	Total	<u>\$20,760 00</u>
	Board of Registration of Nurses:	
426	For personal services of members of the board, a sum not exceeding twenty-one hundred dollars	\$2,100 00
427	For traveling expenses, a sum not exceeding twelve hundred dollars	1,200 00
	Total	<u>\$3,300 00</u>
	Board of Registration in Embalming and Funeral Directing:	
428	For personal services of members of the board, a sum not exceeding fifteen hundred dollars	\$1,500 00
429	For traveling expenses, a sum not exceeding thirteen hundred and fifty dollars	1,350 00
430	For the dissemination of useful knowledge among and for the benefit of licensed embalmers, a sum not exceeding five hundred dollars	500 00
	Total	<u>\$3,350 00</u>
	Board of Registration in Optometry:	
431	For personal services of members of the board, a sum not exceeding nineteen hundred dollars	\$1,900 00
432	For traveling expenses, a sum not exceeding eight hundred dollars	800 00
	Total	<u>\$2,700 00</u>
	Board of Registration in Veterinary Medicine:	
433	For personal services of the members of the board, a sum not exceeding six hundred dollars	\$600 00

Item		
434	For other services, printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding three hundred dollars . . .	\$300 00
	Total	\$900 00
	State Examiners of Electricians:	
435	For personal services of the members of the board, a sum not exceeding one thousand dollars . . .	\$1,000 00
436	For traveling expenses, a sum not exceeding fifty-five hundred dollars	5,500 00
	Total	\$6,500 00
	Board of Registration of Public Accountants:	
437	For personal services of members of the board, a sum not exceeding six hundred and seventy-five dollars	\$675 00
438	For expenses of examinations, including the preparation and marking of papers, and for other expenses, a sum not exceeding eighteen hundred dollars . . .	1,800 00
	Total	\$2,475 00
	State Examiners of Plumbers:	
439	For personal services of the members of the board, a sum not exceeding eleven hundred dollars . . .	\$1,100 00
440	For traveling expenses, a sum not exceeding seventeen hundred dollars	1,700 00
	Total	\$2,800 00
	Board of Registration of Barbers:	
441	For personal services of the members of the board and assistants, a sum not exceeding seventeen thousand eight hundred and ten dollars . . .	\$17,810 00
442	For travel and other necessary expenses, a sum not exceeding seventy-five hundred dollars . . .	7,500 00
	Total	\$25,310 00
	Board of Registration of Hairdressers:	
443	For personal services of the members of the board and assistants, a sum not exceeding twenty-eight thousand five hundred dollars	\$28,500 00
444	For travel and other necessary expenses, including rent, a sum not exceeding fifteen thousand five hundred dollars	15,500 00
	Total	\$44,000 00
	<i>Service of the Department of Industrial Accidents.</i>	
445	For personal services of members of the board, a sum not exceeding forty-two thousand five hundred dollars	\$42,500 00
446	For personal services of secretaries, medical adviser, inspectors, clerks and office assistants, a sum not exceeding one hundred forty-five thousand dollars	145,000 00
447	For expenses of impartial examinations, a sum not exceeding twenty thousand dollars	20,000 00
448	For expenses of industrial disease referees, as authorized by section nine B of chapter one hundred and fifty-two of the General Laws, inserted by chapter four hundred and twenty-four of the acts of nineteen hundred and thirty-five, a sum not exceeding five thousand dollars	5,000 00

Item		
449	For traveling expenses, a sum not exceeding eighty-two hundred and fifty dollars	\$8,250 00
450	For other services, printing the annual report, necessary office supplies and equipment, a sum not exceeding fifteen thousand five hundred dollars	15,500 00
	Total	\$236,250 00

Service of the Department of Labor and Industries.

451	For the salaries of the commissioner, assistant and associate commissioners, a sum not exceeding twenty thousand five hundred dollars	\$20,500 00
452	For clerical and other assistance to the commissioner, a sum not exceeding seventy-six hundred and forty dollars	7,640 00
453	For personal services for the inspectional service and for traveling expenses of the commissioner, assistant commissioner, associate commissioners and inspectors of labor, and for services other than personal, printing the annual report, rent of district offices, and office supplies and equipment for the inspectional service, a sum not exceeding one hundred sixty-nine thousand and fifty dollars	169,050 00
454	For personal services for the division of occupational hygiene, a sum not exceeding twelve thousand six hundred dollars	12,600 00
455	For services other than personal, traveling expenses, office and laboratory supplies and equipment, and rent, for the division of occupational hygiene, a sum not exceeding sixty-five hundred dollars	6,500 00
456	For personal services for the statistical service and for services other than personal, printing report and publications, traveling expenses and office supplies and equipment for the statistical service, a sum not exceeding seventy-one thousand nine hundred dollars	71,900 00
457	For personal services for the division on necessities of life, a sum not exceeding thirteen thousand one hundred and sixty dollars	13,160 00
458	For services other than personal, traveling expenses, office supplies and equipment for the division on necessities of life, a sum not exceeding nineteen hundred and fifty dollars	1,950 00
459	For clerical and other assistance for the board of conciliation and arbitration, a sum not exceeding fourteen thousand dollars	14,000 00
460	For other services, printing, traveling expenses and office supplies and equipment for the board of conciliation and arbitration, a sum not exceeding three thousand dollars	3,000 00
461	For personal services for the division of standards, a sum not exceeding thirty-two thousand four hundred dollars	32,400 00
462	For other services, printing, traveling expenses and office supplies and equipment for the division of standards, a sum not exceeding eleven thousand nine hundred dollars	11,900 00
	Total	\$364,600 00

Unemployment Compensation Commission:

463	(This item omitted.)	
464	For clerical and other personal services for the operation of free employment offices, a sum not exceeding eighty-two thousand six hundred dollars	\$82,600 00

Item		
465	For rent, necessary office supplies and equipment for the free employment offices, a sum not exceeding seventeen thousand four hundred dollars	\$17,400 00
	Total	\$100,000 00

Service of the Department of Mental Diseases.

466	For the salary of the commissioner, a sum not exceeding ten thousand dollars	\$10,000 00
467	For personal services of officers and employees, a sum not exceeding one hundred forty-eight thousand dollars	148,000 00
468	For transportation and medical examination of state charges under its charge for the present year and previous years, a sum not exceeding six thousand dollars	6,000 00
469	For the support of state charges in the Hospital Cottages for Children, a sum not exceeding eighteen thousand two hundred dollars	18,200 00
470	For other services, including printing the annual report, traveling expenses and office supplies and equipment, a sum not exceeding twenty-six thousand dollars	26,000 00
	Total	\$208,200 00

Division of Mental Hygiene:

471	For the expenses of investigating the nature, causes and results of mental diseases and defects and the publication of the results thereof; and of what further preventive or other measures might be taken and what further expenditures for investigation might be made which would give promise of decreasing the number of persons afflicted with mental diseases or defects, a sum not exceeding ninety-six thousand three hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$96,350 00
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For the maintenance of and for certain improvements at the following institutions under the control of the Department of Mental Diseases:

472	Boston psychopathic hospital, a sum not exceeding two hundred fifty-two thousand six hundred dollars	\$252,600 00
473	Boston state hospital, a sum not exceeding one million one hundred seventy-nine thousand and eighty dollars	1,179,080 00
474	(This item included in Item 473.)	
475	For fire protection at the Boston state hospital, including outside enclosed stairways, replacing and constructing other stairs and enclosures, replacing electric wiring, and other fire protection for the buildings locally known as East A, C, E, F and Chapel and West B, C, D and H, a sum not exceeding sixty-two thousand two hundred dollars	62,200 00
475a	For renewing and renovating the plumbing and sanitary arrangements at the Boston state hospital, and work incidental thereto, for the buildings enumerated in Item 475, a sum not exceeding twenty thousand dollars	20,000 00
475b	For the purchase and installation of sterilization equipment at the Boston state hospital, a sum not exceeding three thousand dollars	3,000 00

Item		
476	Danvers state hospital, a sum not exceeding eight hundred seventy-five thousand four hundred and ninety dollars	\$875,490 00
477	(This item included in Item 476.)	
478	For the purchase and installation of additional tubs for continuous baths at the Danvers state hospital, a sum not exceeding eight thousand dollars	8,000 00
479	Foxborough state hospital, a sum not exceeding five hundred sixty-five thousand five hundred dollars	565,500 00
480	For relocating and replacing plumbing for the toilets in "E" building at the Foxborough state hospital, a sum not exceeding eight thousand dollars	8,000 00
481	For additional equipment for the hydrotherapeutic suite at the Foxborough state hospital, a sum not exceeding twenty-five hundred dollars, the same to be in addition to the amount appropriated in Item 468 of chapter two hundred and forty-nine of the acts of nineteen hundred and thirty-five	2,500 00
482	Gardner state hospital, a sum not exceeding five hundred ninety thousand nine hundred and sixty dollars	590,960 00
483	(This item included in Item 482.)	
484	For replacing two bake ovens at the Gardner state hospital, a sum not exceeding eighty-five hundred dollars	8,500 00
485	For the cost of electrical refrigeration in the main kitchen at the Gardner state hospital, a sum not exceeding three thousand dollars	3,000 00
486	Grafton state hospital, a sum not exceeding six hundred seventy-three thousand three hundred and forty dollars	673,340 00
487	For the purchase and installation of equipment for continuous baths in Elms A at the Grafton state hospital, and for certain incidental expenses in connection therewith, a sum not exceeding fourteen thousand three hundred dollars	14,300 00
488	For the purchase of certain X-ray equipment for the Grafton state hospital, a sum not exceeding forty-seven hundred dollars	4,700 00
489	(This item included in Item 486.)	
489a	For the construction of a ward building in the Pines group of the Grafton state hospital and for the construction of additional kitchen space and dining room space, including certain equipment, a sum not exceeding four hundred thousand dollars, the same to be expended together with such additional sum as may be received from federal sources upon condition that said additional sum is made available therefor and the project is approved by the emergency public works commission	400,000 00
490	For the purchase and installation of oil burning equipment in the main power plant at the Grafton state hospital, a sum not exceeding twenty-three thousand dollars	23,000 00
491	Medfield state hospital, a sum not exceeding seven hundred nine thousand nine hundred and eighty dollars	769,980 00
492	For the renovation of patients' toilet and bathing facilities, including the replacement of plumbing and other costs incidental thereto, at the Medfield state hospital, a sum not exceeding ten thousand dollars	10,000 00
493	For providing better fire protection in B-3 and D-3 at the Medfield state hospital by the construction of fireproof stairs and stair wells, a sum not exceeding seven thousand dollars	7,000 00

Item		
494	For the cost of enlarging the tunnel from the power house to the hospital kitchen building at the Medfield state hospital, a sum not exceeding twenty-two thousand dollars	\$22,000 00
495	Metropolitan state hospital, a sum not exceeding seven hundred six thousand six hundred and forty dollars	706,640 00
496	(This item included in Item 495.)	
497	For the cost of certain boiler room equipment at the Metropolitan state hospital, a sum not exceeding ten thousand dollars	10,000 00
498	For the installation of cables in conduits on the ceilings of tunnels at the Metropolitan state hospital, a sum not exceeding five thousand dollars	5,000 00
498a	For the contribution on the part of the state for a certain Works Progress Administration project at the Metropolitan state hospital, a sum not exceeding five thousand dollars	5,000 00
499	Northampton state hospital, a sum not exceeding seven hundred fourteen thousand six hundred and twenty dollars	714,620 00
499a	For the renovation of rear center for kitchen and dining rooms, remodeling of present dining room, and for purchase and installation of kitchen equipment at the Northampton state hospital, a sum not exceeding thirty-seven thousand five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	37,500 00
500	For fire protection in the North Infirmary at the Northampton state hospital by the construction of reinforced concrete floors, the replacement of electric wiring and other renovations, a sum not exceeding forty thousand dollars	40,000 00
501	For the cost of installing an automatic traffic signal light at the Northampton state hospital, a sum not exceeding twenty-five hundred dollars	2,500 00
502	(This item included in Item 499.)	
503	For the purchase and installation of additional sprinklers at the Northampton state hospital, a sum not exceeding ten thousand dollars	10,000 00
504	Taunton state hospital, a sum not exceeding six hundred seventy-four thousand eight hundred and five dollars	674,805 00
505	For the renovation of baths and toilets at the Taunton state hospital, including the replacement of plumbing and expenses incidental thereto, a sum not exceeding ten thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	10,000 00
506	For the purchase of certain land for the Raynham Colony at the Taunton state hospital, a sum not exceeding four hundred and fifty dollars	450 00
507	(This item included in Item 504.)	
508	Westborough state hospital, a sum not exceeding six hundred eighty-nine thousand and sixty dollars	689,060 00
509	For painting and pointing the masonry at the main group of the Westborough state hospital, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	5,000 00
510	For renovating Richmond sanatorium at the Westborough state hospital, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	3,000 00

Item		
511	For the purchase and installation of refrigerator boxes and compressors at the Westborough state hospital, including expenses incidental thereto, a sum not exceeding eleven thousand four hundred dollars	\$11,400 00
512	For the completion of a garage building at the Westborough state hospital, a sum not exceeding twenty-five hundred dollars	2,500 00
513	For the cost of better fire protection at the Westborough state hospital, a sum not exceeding five thousand dollars	5,000 00
514	Worcester state hospital, a sum not exceeding one million forty-five thousand and twenty dollars	1,045,020 00
	The unexpended balance of the appropriation made for mechanical refrigeration at the Worcester state hospital by Item 501 of chapter two hundred and forty-nine of the acts of nineteen hundred and thirty-five is hereby reappropriated.	
515	For the cost of new plumbing and of renovation incidental thereto at the Summer Street hospital of the Worcester state hospital, a sum not exceeding twenty-three hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	2,300 00
516	Monson state hospital, a sum not exceeding six hundred seventy-six thousand four hundred and eighty-six dollars	676,486 00
517	(This item included in Item 516.)	
518	For the construction of roads within the property of the Monson state hospital, a sum not exceeding fifteen thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose, and the letting of the contract and the work of construction to be done under the supervision of the state department of public works	15,000 00
519	For improved fire protection at the Monson state hospital, a sum not exceeding ten thousand dollars	10,000 00
520	Belchertown state school, a sum not exceeding five hundred twenty-six thousand one hundred and eighty dollars	526,180 00
521	(This item included in Item 520.)	
522	For the replacing of brass pipe at the Belchertown state school, a sum not exceeding five thousand dollars	5,000 00
523	For the construction of additional filter beds at the Belchertown state school, a sum not exceeding thirty thousand dollars	30,000 00
524	Walter E. Fernald state school, a sum not exceeding seven hundred thirty-four thousand six hundred and fifty dollars	734,650 00
525	For the cost of investigating relative to improving the water supply at the Templeton Colony of the Walter E. Fernald state school, a sum not exceeding twenty-five hundred dollars	2,500 00
526	For the construction of walks, roads and grading at the Walter E. Fernald state school, a sum not exceeding fifteen hundred dollars	1,500 00
527	For improved fire protection at the Walter E. Fernald state school, a sum not exceeding ten thousand dollars	10,000 00
528	For furnishings for the remodeled Cardinal House at the Walter E. Fernald state school, a sum not exceeding twenty-five hundred dollars	2,500 00

Item		
529	Wrentham state school, a sum not exceeding six hundred fifty-one thousand four hundred dollars .	\$651,400 00
530	(This item included in Item 529.)	
	Total	\$12,088,161 00

Service of the Department of Correction.

531	For the salary of the commissioner, a sum not exceeding six thousand dollars .	\$6,000 00
532	For personal services of deputies, members of the board of parole and advisory board of pardons, agents, clerks and stenographers, a sum not exceeding one hundred eighteen thousand eight hundred and eighty dollars .	118,880 00
533	For services other than personal, including printing the annual report, necessary office supplies and equipment, a sum not exceeding seventy-eight hundred dollars .	7,800 00
534	For traveling expenses of officers and employees of the department, when required to travel in the discharge of their duties, a sum not exceeding fifteen thousand dollars .	15,000 00
535	For the removal of prisoners, to and from state institutions, a sum not exceeding seventy-five hundred dollars .	7,500 00
536	For assistance to discharged prisoners, a sum not exceeding five hundred dollars .	500 00
537	For the expense of the service of the central index, a sum not exceeding one thousand dollars .	1,000 00
	Total	\$156,680 00

Division of Classification of Prisoners:

538	For expenses of the division hereby authorized, a sum not exceeding nineteen thousand five hundred dollars; provided, that the persons employed hereunder shall not be subject to civil service laws or the rules and regulations made thereunder .	\$19,500 00
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For the maintenance of and for certain improvements at the following institutions under the control of the Department of Correction:

539	State farm, a sum not exceeding eight hundred twenty thousand six hundred and forty dollars .	\$820,640 00
540	For the purchase of materials for the replacement of a hay barn destroyed by fire at the State farm, a sum not exceeding ninety-five hundred dollars .	9,500 00
541	For the purchase and installation of fireproof doors in the hospital at the State farm, a sum not exceeding three thousand dollars .	3,000 00
542	For the reconstruction and improvement of part of the piggery at the State farm, a sum not exceeding five thousand dollars .	5,000 00
543	For the purchase of X-ray equipment for the State farm, a sum not exceeding twenty-five hundred dollars .	2,500 00
544	For the construction of a building and the purchase of certain equipment for the purpose of canning fruit and vegetables at the State farm, a sum not exceeding seventy-five hundred dollars .	7,500 00
545	For beginning the replacement and relocation of steam lines at the State farm, including the cost of an engineering study to provide a layout and working program, a sum not exceeding ten thousand dollars .	10,000 00

Item		
546	State prison, a sum not exceeding four hundred seventy-nine thousand two hundred and fifty dollars	\$479,250 00
547	Massachusetts reformatory, a sum not exceeding five hundred fifty-one thousand nine hundred dollars	551,900 00
548	For the construction of a dairy unit at the Massachusetts reformatory, including barns and other facilities, as the beginning of the relocation of the group of farm buildings, a sum not exceeding forty thousand dollars	40,000 00
549	For the construction of certain steel stairways at the Massachusetts reformatory, a sum not exceeding thirty-five hundred dollars	3,500 00
550	Reformatory for women, a sum not exceeding two hundred forty thousand four hundred and twenty dollars	240,420 00
551	For continuing the work of pointing and improving the walls and masonry of buildings at the reformatory for women, a sum not exceeding seven thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	7,000 00
552	For the construction of a new staff house at the reformatory for women, including furnishings and equipment, a sum not exceeding one hundred sixty thousand dollars	160,000 00
553	For the purchase of a certain parcel of land for the reformatory for women, a sum not exceeding four hundred dollars	400 00
554	For the purchase and installation of certain generating equipment at the reformatory for women, a sum not exceeding twenty-one thousand six hundred dollars	21,600 00
555	State prison colony, a sum not exceeding four hundred ninety thousand six hundred and seventy-five dollars	490,675 00
556	For the construction of additional treatment beds for sewage at the state prison colony, a sum not exceeding eighteen thousand dollars	18,000 00
Total		\$2,870,885 00

Service of the Department of Public Welfare.

Administration:		
557	For the salary of the commissioner, a sum not exceeding seven thousand dollars	\$7,000 00
558	For personal services of officers and employees, a sum not exceeding fifty thousand nine hundred and fifty dollars	50,950 00
559	For services other than personal, printing the annual report, traveling expenses, including expenses of auxiliary visitors, office supplies and expenses, a sum not exceeding sixty-five hundred dollars	6,500 00
Total		\$64,450 00

State Board of Housing:

560	For personal services, a sum not exceeding fourteen thousand nine hundred dollars	\$14,900 00
561	For expenses, as authorized by section eighteen of chapter eighteen of the General Laws, inserted by section one of chapter three hundred and sixty-four of the acts of nineteen hundred and thirty-three, as amended, a sum not exceeding five thousand dollars	5,000 00
Total		\$19,900 00

Item		
	Division of Aid and Relief:	
562	For personal services of officers and employees, a sum not exceeding two hundred fifteen thousand dollars; and the employment of persons authorized under Item I of chapter sixty-nine of the acts of nineteen hundred and thirty-two may be continued, and shall not be subject to the civil service laws or the rules and regulations made thereunder	\$215,000 00
563	For services other than personal, including traveling expenses and office supplies and equipment, a sum not exceeding thirty-three thousand five hundred dollars	33,500 00

The following items are for reimbursement of cities and towns for expenses of the present year and previous years, and are to be in addition to any unexpended balances of appropriations made for the purpose in the previous year:

564	For the payment of suitable aid to mothers with dependent children, a sum not exceeding one million three hundred and ninety thousand dollars	1,390,000 00
565	For the burial by cities and towns of indigent persons who have no legal settlement, a sum not exceeding twelve thousand dollars	12,000 00
566	For expenses in connection with smallpox and other diseases dangerous to the public health, a sum not exceeding one hundred and five thousand dollars	105,000 00
567	For the support of sick indigent persons who have no legal settlement, a sum not exceeding one hundred ninety thousand dollars	190,000 00
568	For temporary aid given to indigent persons with no legal settlement, and to shipwrecked seamen by cities and towns, and for the transportation of indigent persons under the charge of the department, a sum not exceeding four million seven hundred thousand dollars	4,700,000 00

Old Age Assistance:

569	For personal services required for the administration of old age assistance provided by chapter one hundred and eighteen A of the General Laws, as amended, a sum not exceeding one hundred three thousand dollars	103,000 00
570	For other expenses, including rent, travel, office supplies and other necessary expenses, required for the administration of old age assistance provided by said chapter one hundred and eighteen A, a sum not exceeding nineteen thousand five hundred dollars	19,500 00
Total		\$6,768,000 00

Division of Child Guardianship:

571	For personal services of officers and employees, a sum not exceeding two hundred twenty-two thousand two hundred dollars	\$222,200 00
572	For services other than personal, office supplies and equipment, a sum not exceeding five thousand dollars	5,000 00
573	For tuition in the public schools, including transportation to and from school, of children boarded by the department, for the present and previous years, a sum not exceeding two hundred eighty-four thousand dollars	284,000 00

Item		
574	For the care and maintenance of children, for the present and previous years, a sum not exceeding one million five hundred thirty-five thousand dollars	\$1,535,000 00
	Total	\$2,046,200 00
	Division of Juvenile Training, Trustees of Massachusetts Training Schools:	
575	For services of the secretary and certain other persons employed in the executive office, a sum not exceeding fourteen thousand one hundred dollars	\$14,100 00
576	For services other than personal, including printing the annual report, traveling and other expenses of the members of the board and employees, office supplies and equipment, a sum not exceeding thirty-two hundred dollars	3,200 00
	Boys' Parole:	
577	For personal services of agents in the division for boys paroled and boarded in families, a sum not exceeding forty-seven thousand three hundred and ten dollars	47,310 00
578	For services other than personal, including traveling expenses of the agents and boys, and necessary office supplies and equipment, a sum not exceeding twenty-three thousand dollars	23,000 00
579	For board, clothing, medical and other expenses incidental to the care of boys, a sum not exceeding twenty-five thousand dollars	25,000 00
	Girls' Parole:	
580	For personal services of agents in the division for girls paroled from the industrial school for girls, a sum not exceeding thirty-five thousand one hundred and thirty dollars	35,130 00
581	For traveling expenses of said agents for girls paroled, for board, medical and other care of girls, and for services other than personal, office supplies and equipment, a sum not exceeding twenty-one thousand dollars	21,000 00
	Tuition of children:	
582	For reimbursement of cities and towns for tuition of children attending the public schools, a sum not exceeding seven thousand dollars	7,000 00
	Total	\$175,740 00
	For the maintenance of and for certain improvements at the institutions under the control of the trustees of the Massachusetts training schools, with the approval of said trustees, as follows:	
583	Industrial school for boys, a sum not exceeding two hundred eight thousand six hundred dollars	\$208,600 00
584	For the purchase of two parcels of land for the industrial school for boys, a sum not exceeding two thousand dollars	2,000 00
585	Industrial school for girls, a sum not exceeding one hundred fifty-four thousand five hundred and fifty dollars	154,550 00
586	For repairing damage done by fire to the heating plant at the industrial school for girls, including replacement of equipment, a sum not exceeding thirty-nine hundred and fifty dollars	3,950 00

Item		
587	Lyman school for boys, a sum not exceeding two hundred eighty-seven thousand seven hundred dollars	\$287,700 00
588	For the purchase and installation of equipment for the power plant at the Lyman school for boys, including electric wiring, a sum not exceeding seventy-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	7,500 00
	Total	\$664,300 00

Massachusetts Hospital School:

589	For the maintenance of the Massachusetts hospital school, to be expended with the approval of the trustees thereof, a sum not exceeding two hundred thirty-four thousand seven hundred and sixty dollars	\$234,760 00
590	For the purchase and installation of X-ray equipment, a sum not exceeding forty-seven hundred dollars	4,700 00
	Total	\$239,460 00

State Infirmary:

591	For the maintenance of the state infirmary, to be expended with the approval of the trustees thereof, a sum not exceeding one million three hundred ten thousand and fifty dollars	\$1,310,050 00
592	For the construction of a building for male inmates, including the cost of furnishings and equipment, a sum not exceeding one hundred sixty thousand dollars	160,000 00
593	For the construction of additional space connecting with the operating room for the convenience of the doctors, a sum not exceeding two thousand dollars	2,000 00
594	For the replacement and building of certain fly screens, a sum not exceeding five thousand dollars	5,000 00
	Total	\$1,477,050 00

Service of the Department of Public Health.

Administration:

595	For the salary of the commissioner, a sum not exceeding seventy-five hundred dollars	\$7,500 00
596	For personal services of the health council and office assistants, a sum not exceeding twenty thousand nine hundred and fifty-five dollars	20,955 00
597	For services other than personal, including printing the annual report, traveling expenses, office supplies and equipment, a sum not exceeding ninety-five hundred dollars	9,500 00

Service of Adult Hygiene (cancer):

598	For personal services of the division, including cancer clinics, a sum not exceeding forty-seven thousand seven hundred and fifty dollars	47,750 00
599	For other expenses of the division, including cancer clinics, a sum not exceeding forty-nine thousand five hundred dollars	49,500 00

Item		
	Service of Child and Maternal Hygiene:	
600	For personal services of the director and assistants, a sum not exceeding sixty-five thousand one hundred and fifty dollars	\$65,150 00
601	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding twenty-five thousand dollars	25,000 00
602	(This item combined with Item 600.)	
603	(This item combined with Item 601.)	
	Division of Communicable Diseases:	
604	For personal services of the director, district health officers and their assistants, epidemiologists, bacteriologist and assistants in the diagnostic laboratory, a sum not exceeding seventy-seven thousand three hundred dollars	77,300 00
605	For services other than personal, traveling expenses, laboratory, office and other necessary supplies, including the purchase of animals and equipment, and rent of certain offices, a sum not exceeding fifteen thousand two hundred dollars	15,200 00
	Venereal Diseases:	
606	For personal services for the control of venereal diseases, a sum not exceeding thirteen thousand one hundred and fifty-five dollars	13,155 00
607	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding twenty-nine thousand dollars	29,000 00
	Wassermann Laboratory:	
608	For personal services of the Wassermann laboratory, a sum not exceeding eighteen thousand seven hundred dollars	18,700 00
609	For expenses of the Wassermann laboratory, a sum not exceeding six thousand dollars	6,000 00
	Antitoxin and Vaccine Laboratories:	
610	For personal services in the investigation and production of antitoxin and vaccine lymph and other specific material for protective inoculation and diagnosis of treatment, a sum not exceeding eighty thousand dollars	80,000 00
611	For other services, supplies, materials and equipment necessary for the production of antitoxin and other materials as enumerated above, a sum not exceeding thirty-six thousand five hundred dollars	36,500 00
	Inspection of Food and Drugs:	
612	For personal services of the director, analysts, inspectors and other assistants, a sum not exceeding sixty-two thousand nine hundred dollars	62,900 00
613	For other services, including traveling expenses, supplies, materials and equipment, a sum not exceeding twelve thousand three hundred dollars	12,300 00
	Shellfish Enforcement Law:	
614	For personal services for administering the law relative to shellfish, a sum not exceeding twenty-two hundred and twenty dollars	2,220 00
615	For other expenses for administering the law relative to shellfish, a sum not exceeding eight hundred and seventy dollars	870 00

Item		
	Water Supply and Disposal of Sewage:	
616	For personal services of directors, engineers, chemists, clerks and other assistants in the division of engineering and the division of laboratories, a sum not exceeding one hundred thirty thousand dollars	\$130,000 00
617	For other services, including traveling expenses, supplies, materials and equipment, for the division of engineering and the division of laboratories, a sum not exceeding twenty-seven thousand three hundred dollars	27,300 00
	Total	\$736,800 00

	Division of Tuberculosis:	
618	For personal services of the director, stenographers, clerks and other assistants, a sum not exceeding thirty-nine thousand nine hundred and sixty dollars	\$39,960 00
619	For services other than personal, including printing the annual report, traveling expenses and office supplies and equipment, a sum not exceeding four thousand dollars	4,000 00
620	To cover the payment of certain subsidies for the maintenance of hospitals for tubercular patients, a sum not exceeding four hundred fifty-six thousand dollars	456,000 00
621	For personal services for certain children's clinics for tuberculosis, a sum not exceeding thirty-five thousand three hundred dollars	35,300 00
622	For other services for certain children's clinics for tuberculosis, a sum not exceeding twelve thousand dollars	12,000 00
	Total	\$547,260 00

	Minimum Wage Commission:	
623	For personal services of investigators, clerks and stenographers for the minimum wage service, a sum not exceeding fourteen thousand nine hundred and ten dollars	\$14,910 00
624	For compensation and expenses of wage boards, a sum not exceeding two thousand dollars	2,000 00
625	For services other than personal, printing, traveling expenses and office supplies and equipment for minimum wage service, a sum not exceeding thirty-five hundred dollars	3,500 00
	Total	\$20,410 00

	For the maintenance of and for certain improvements at the sanatoria, as follows:	
626	Lakeville state sanatorium, a sum not exceeding three hundred thirty-six thousand eight hundred and twenty dollars	\$336,820 00
627	For certain fire protection at the Lakeville state sanatorium, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,000 00
627a	For the construction of beds and the purchase of certain equipment for the disposal of sewage at the Lakeville state sanatorium, a sum not exceeding forty-one hundred and fifty dollars	4,150 00
628	North Reading state sanatorium, a sum not exceeding two hundred eighty thousand seven hundred dollars	280,700 00

Item		
629	For certain fire protection at the North Reading state sanatorium, a sum not exceeding thirteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	\$1,300 00
630	For making certain connections to improve the water supply at the North Reading state sanatorium, a sum not exceeding two hundred and fifty dollars .	250 00
631	For improvements in the sewage disposal system at the North Reading state sanatorium, a sum not exceeding fourteen hundred dollars .	1,400 00
632	For improvement of roads and parking spaces at the North Reading state sanatorium, a sum not exceeding one thousand dollars .	1,000 00
633	Rutland state sanatorium, a sum not exceeding three hundred seventy-three thousand five hundred dollars .	373,500 00
634	For improvements in the water supply system at the Rutland state sanatorium, a sum not exceeding ten hundred and eighty dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	1,080 00
635	Westfield state sanatorium, a sum not exceeding two hundred ninety-two thousand four hundred and ninety dollars .	292,490 00
636	For improvements in the water supply system at the Westfield state sanatorium, a sum not exceeding twenty-three thousand one hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	23,100 00
637	For improvements in the sewage disposal system at the Westfield state sanatorium, a sum not exceeding fourteen hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	1,450 00
637a	For remodeling certain spaces at the Westfield state sanatorium, now used for office purposes, into living quarters for members of the staff, a sum not exceeding forty-six hundred dollars .	4,600 00
637b	For the purchase of furnishings and equipment for the new buildings at the Westfield state sanatorium, a sum not exceeding one hundred thirty-five thousand dollars .	135,000 00
	Total	\$1,457,840 00

Pondville Hospital:

638	For maintenance of the Pondville hospital, including care of radium, a sum not exceeding three hundred fifty-one thousand six hundred dollars .	\$351,600 00
639	For improvements in the sewage disposal system at the Pondville hospital, a sum not exceeding thirty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	3,500 00
640	For repair and improvement of roads and parking spaces at the Pondville hospital, a sum not exceeding eighty-seven hundred dollars .	8,700 00
	Total	\$363,800 00

Service of the Department of Public Safety.

Administration:

641	For the salary of the commissioner, a sum not exceeding six thousand dollars .	\$6,000 00
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Item		
642	For personal services of clerks and stenographers, a sum not exceeding ninety-eight thousand eight hundred dollars	\$98,800 00
643	For contingent expenses, including printing the annual report, rent of district offices, supplies and equipment, and all other things necessary for the investigation of fires and motion picture licenses, as required by law, and for expenses of administering the law regulating the sale and resale of tickets to theatres and other places of public amusement by the department of public safety, a sum not exceeding seventy-three thousand dollars	73,000 00
Division of State Police:		
644	For the salaries of officers, including detectives, a sum not exceeding five hundred forty-nine thousand dollars, of which sum not more than two hundred thousand dollars may be charged to the Highway Fund	549,000 00
645	For personal services of civilian employees, a sum not exceeding one hundred nineteen thousand dollars	119,000 00
646	For other necessary expenses of the uniformed division, including traveling expenses of detectives, a sum not exceeding four hundred sixteen thousand dollars, of which sum not more than one hundred fifty thousand dollars may be charged to the Highway Fund	416,000 00
647	For personal services, rent, supplies and equipment necessary in the enforcement of provisions of law relative to explosives and inflammable fluids and compounds, a sum not exceeding fourteen thousand six hundred dollars	14,600 00
Division of Inspection:		
648	For the salary of the chief of inspections, a sum not exceeding four thousand dollars	4,000 00
649	For the salaries of officers for the building inspection service, a sum not exceeding fifty-three thousand nine hundred and forty dollars	53,940 00
650	For traveling expenses of officers for the building inspection service, a sum not exceeding eleven thousand five hundred dollars	11,500 00
651	For the salaries of officers for the boiler inspection service, a sum not exceeding sixty-eight thousand two hundred and twenty dollars	68,220 00
652	For traveling expenses of officers for the boiler inspection service, a sum not exceeding thirteen thousand five hundred dollars	13,500 00
653	For services, supplies and equipment necessary for investigations and inspections by the division, a sum not exceeding nine hundred dollars	900 00
Board of Boiler Rules:		
654	For personal services of members of the board, a sum not exceeding one thousand dollars	1,000 00
655	For services other than personal and the necessary traveling expenses of the board, a sum not exceeding five hundred dollars	500 00
Total		\$1,429,960 00
Fire Prevention Service:		
656	For the salary of the state fire marshal, a sum not exceeding four thousand dollars	\$4,000 00

Item		
657	For personal services of fire and other inspectors, a sum not exceeding fifty thousand five hundred and fifty dollars	\$50,550 00
658	For traveling expenses of fire and other inspectors, a sum not exceeding fourteen thousand one hundred and forty dollars	14,140 00
659	For other services, office rent and necessary office supplies and equipment, a sum not exceeding four thousand dollars	4,000 00
660	(This item included in Items 657 and 658.)	
	Total	\$72,690 00

State Boxing Commission:

661	For compensation and clerical assistance for the state boxing commission, a sum not exceeding ninety-nine hundred and twenty dollars	\$9,920 00
662	For other expenses of the commission, a sum not exceeding sixty-five hundred dollars	6,500 00
	Total	\$16,420 00

Service of the Department of Public Works.

The appropriations made in the following four items are to be paid three quarters from the Highway Fund and one quarter from the Port of Boston receipts:

663	For the salaries of the commissioner and the associate commissioners, a sum not exceeding nineteen thousand five hundred dollars	\$19,500 00
664	For personal services of clerks and assistants to the commissioner, a sum not exceeding eleven thousand one hundred dollars	11,100 00
665	For traveling expenses of the commissioners, a sum not exceeding two thousand dollars	2,000 00
666	For telephone service in the public works building, a sum not exceeding thirty thousand dollars	30,000 00
	Total	\$62,600 00

Functions of the department relating to highways (the following appropriations, except as otherwise provided, are made from the Highway Fund):

667	For the maintenance and operation of the public works building, a sum not exceeding one hundred thirty thousand dollars	\$130,000 00
668	For the salaries of guards for the public works building, a sum not exceeding thirty-five thousand dollars	35,000 00
669	For personal services of the chief engineer, engineers and office assistants, including certain clerks and stenographers, a sum not exceeding ninety-seven thousand dollars	97,000 00
670	For services other than personal, including printing pamphlet of laws and the annual report, and necessary office supplies and equipment, and for the expense of membership of the department in the American Association of State Highway Officials, a sum not exceeding seventeen thousand dollars	17,000 00
671	For the suppression of gypsy and brown tail moths on state highways, a sum not exceeding twelve thousand five hundred dollars	12,500 00

Item		
672	For the construction and repair of town and county ways, a sum not exceeding two million five hundred thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$2,500,000 00
673	For aiding towns in the repair and improvement of public ways, a sum not exceeding one million four hundred fifty thousand dollars	1,450,000 00
674	For the maintenance and repair of state highways, including care of snow on highways, expenses of traffic signs and lights; for payment of damages caused by defects in state highways, with the approval of the attorney general; for care and repair of road-building machinery; and for the maintenance of a nursery for roadside planting, a sum not exceeding two million eight hundred thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	2,800,000 00
675	For the purpose of enabling the department of public works to secure federal aid for the construction and reconstruction of highways, including bridges, a sum not exceeding two million three hundred thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	2,300,000 00
676	For administering the law relative to advertising signs near highways, a sum not exceeding twenty-one thousand dollars, to be paid from the General Fund	21,000 00
677	For expenses of a topographical survey and map of the commonwealth, in addition to funds received from federal appropriations or private subscriptions, a sum not exceeding fifty thousand dollars	50,000 00
Registration of Motor Vehicles:		
678	For personal services, a sum not exceeding one million eighty thousand dollars, of which sum fifteen thousand dollars may be charged to the General Fund, and the remainder shall be paid from the Highway Fund	1,080,000 00
679	For services other than personal, including traveling expenses, purchase of necessary supplies and materials, including cartage and storage of the same, and for work incidental to the registration and licensing of owners and operators of motor vehicles, a sum not exceeding four hundred eighty thousand dollars, to be paid from the Highway Fund	480,000 00
680	For printing and other expenses necessary in connection with publicity for certain safety work, a sum not exceeding one thousand dollars	1,000 00
Total		\$10,973,500 00
Functions of the department relating to waterways and public lands:		
681	For personal services of the chief engineer and assistants, a sum not exceeding fifty-eight thousand dollars	\$58,000 00
682	For services other than personal, including printing pamphlet of laws and the annual report, and for necessary office and engineering supplies and equipment, a sum not exceeding sixteen hundred dollars	1,600 00
683	For the care and maintenance of the province lands and of the lands acquired and structures erected by the Provincetown tercentenary commission, a sum not exceeding five thousand dollars	5,000 00

Item		
684	For the maintenance of structures, and for repairing damages along the coast line or river banks of the commonwealth, and for the removal of wrecks and other obstructions from tide waters and great ponds, a sum not exceeding twenty-two thousand five hundred dollars	\$22,500 00
685	For the improvement, development and protection of rivers and harbors, tide waters and foreshores within the commonwealth, as authorized by section eleven of chapter ninety-one of the General Laws, as appearing in the Tercentenary Edition thereof, and of great ponds, a sum not exceeding one hundred thousand dollars, and any unexpended balance of the appropriation remaining at the end of the current fiscal year may be expended in the succeeding fiscal year for the same purposes; provided, that all expenditures made for the protection of shores shall be upon condition that at least fifty per cent of the cost is covered by contributions from municipalities or other organizations and individuals, and that in the case of dredging channels for harbor improvements at least twenty-five per cent of the cost shall be so covered	100,000 00
686	For re-establishing and permanently marking certain triangulation points and sections, as required by order of the land court in accordance with section thirty-three of chapter ninety-one of the General Laws, as appearing in the Tercentenary Edition thereof, a sum not exceeding one thousand dollars	1,000 00
687	For expenses of surveying certain town boundaries, by the department of public works, a sum not exceeding five hundred dollars	500 00
688	For the operation and maintenance of the New Bedford state pier, a sum not exceeding twelve thousand dollars	12,000 00
689	For the compensation of dumping inspectors, a sum not exceeding fifteen hundred dollars	1,500 00
690	For continuing the work in gauging the flow of water in the streams of the commonwealth, a sum not exceeding five thousand dollars	5,000 00
691	For the maintenance and repair of certain property in the town of Plymouth, a sum not exceeding thirty-five hundred dollars	3,500 00
692	For the operation and maintenance of the Cape Cod Canal pier, a sum not exceeding forty-five hundred dollars	4,500 00
693	(This item omitted.)	
694	For certain expenditures on account of the reconstruction of a pier at Plymouth, the sum of fourteen hundred sixty-six dollars and twenty-seven cents, the same to be in addition to any amount heretofore appropriated for the purpose	1,466 27
Total		\$216,566 27

Functions of the department relating to Port of Boston (the following items are to be paid from the Port of Boston receipts):

695	For the construction of railroads and piers and for the development of certain land, a sum not exceeding nine thousand dollars	\$9,000 00
696	For the supervision and operation of commonwealth pier five, including the salaries or other compensation of employees, and for the repair and replace-	

Item		
	ment of equipment and other property, a sum not exceeding one hundred eleven thousand one hundred dollars	\$111,100 00
697	For the maintenance of pier one, at East Boston, a sum not exceeding four thousand dollars	4,000 00
698	For the maintenance and improvement of commonwealth property under the control of the department in connection with its functions relating to waterways and public lands, a sum not exceeding ninety thousand dollars	90,000 00
699	For dredging channels and filling flats, a sum not exceeding ninety thousand dollars, the same to be in addition to any unexpended balance of the appropriation made for the purpose in the previous year	90,000 00
700	(This item omitted.)	
	Total	\$304,100 00

Service of the Department of Public Utilities.

701	For personal services of the commissioners, a sum not exceeding thirty-six thousand dollars	\$36,000 00
702	For personal services of secretaries, employees of the accounting department, engineering department, and rate and tariff department, a sum not exceeding thirty-nine thousand seven hundred and twenty dollars	39,720 00
703	For personal services of the inspection department, a sum not exceeding fifty-one thousand five hundred dollars	51,500 00
704	For personal services of clerks, messengers and office assistants, a sum not exceeding sixteen thousand two hundred dollars	16,200 00
705	For personal services of the telephone and telegraph division, a sum not exceeding seventeen thousand six hundred and twenty dollars	17,620 00
706	For stenographic reports of hearings, a sum not exceeding two thousand dollars	2,000 00
707	For traveling expenses of the commissioners and employees, a sum not exceeding twenty-seven hundred dollars	2,700 00
708	For other services, printing the annual report, for rent of offices and for necessary office supplies and equipment, a sum not exceeding twenty-two thousand three hundred dollars	22,300 00
709	For stenographic reports of evidence at inquests held in cases of death by accident on or about railroads, a sum not exceeding eight hundred dollars	800 00
	Total	\$188,840 00

Investigation of Gas and Electric Light Meters:

710	For personal services of the division of inspection of gas and gas meters, a sum not exceeding twenty-one thousand four hundred dollars	\$21,400 00
711	For expenses of the division of inspection of gas and gas meters, including office rent, traveling and other necessary expenses of inspection, a sum not exceeding forty-five hundred dollars	4,500 00
712	(This item combined with Item 708.)	
713	For the examination and tests of electric meters, a sum not exceeding two hundred dollars	200 00
	Total	\$26,100 00

Item		
	Special Investigations:	
714	For personal services and expenses of special investigations, including legal assistants as needed, a sum not exceeding seven thousand dollars	\$7,000 00
	Commercial Motor Vehicle Division:	
715	For personal services of the director and assistants, a sum not exceeding fifty-seven thousand four hundred dollars	\$57,400 00
716	For other services, necessary office supplies and equipment, and for rent, a sum not exceeding fourteen thousand four hundred dollars	14,400 00
	Total	\$71,800 00
	Smoke Inspection Service:	
	The following items are to be assessed upon the cities and towns comprising the district defined by chapter six hundred and fifty-one of the acts of nineteen hundred and ten, and acts in amendment thereof or in addition thereto:	
717	For personal services, a sum not exceeding thirty-one thousand seven hundred dollars	\$31,700 00
718	For other services, printing the annual report, rent of offices, travel, and necessary office supplies and equipment, a sum not exceeding thirty-five hundred dollars	3,500 00
	Total	\$35,200 00
	Sale of Securities:	
719	For personal services in administering the law relative to the sale of securities, a sum not exceeding thirty-eight thousand six hundred and ten dollars	\$38,610 00
720	For expenses other than personal in administering the law relative to the sale of securities, a sum not exceeding ten thousand dollars	10,000 00
	Total	\$48,610 00
	Miscellaneous.	
721	For the maintenance of Bunker Hill monument and the property adjacent, to be expended by the metropolitan district commission, a sum not exceeding twelve thousand three hundred dollars	\$12,300 00
	The following items are to be paid from the Highway Fund, with the approval of the metropolitan district commission:	
722	For maintenance of boulevards and parkways, a sum not exceeding six hundred ninety-eight thousand eight hundred and twenty dollars	698,820 00
723	For resurfacing of boulevards and parkways, a sum not exceeding two hundred seventy-five thousand dollars	275,000 00
724	For expense of supplies and services necessary for procuring Works Progress Administration funds, a sum not exceeding eight thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	8,000 00
725	For the cost of installations necessary for additional street lighting, a sum not exceeding thirty-two thousand dollars	32,000 00

Item		
726	For maintenance of Wellington bridge, a sum not exceeding thirty-four hundred dollars . . .	\$3,400 00
	Total	\$1,029,520 00

Unclassified Accounts and Claims.

727	For the compensation of veterans of the civil war formerly in the service of the commonwealth, now retired, a sum not exceeding thirty-five hundred dollars . . .	\$3,500 00
728	For the compensation of any veteran who may be retired by the governor under the provisions of sections fifty-six to fifty-nine, inclusive, of chapter thirty-two of the General Laws, as appearing in the Tercentenary Edition thereof, a sum not exceeding sixty-five thousand dollars . . .	65,000 00
729	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired, a sum not exceeding seventy thousand dollars . . .	70,000 00
730	For the compensation of state police officers formerly in the service of the commonwealth, and now retired, a sum not exceeding eighty-five hundred dollars . . .	8,500 00
731	For the compensation of certain women formerly employed in cleaning the state house, and now retired, a sum not exceeding six hundred dollars . . .	600 00
	Total	\$147,600 00

For certain other aid:

732	For the compensation of certain public employees for injuries sustained in the course of their employment, for present and previous years, as provided by section sixty-nine of chapter one hundred and fifty-two of the General Laws, as amended, a sum not exceeding one hundred thousand dollars, of which sum not more than fifty-five thousand dollars may be charged to the Highway Fund . . .	\$100,000 00
733	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves, a sum not exceeding forty-two hundred and ninety-six dollars . . .	4,296 00
	Total	\$104,296 00

734	For reimbursing officials for premiums paid for procuring sureties on their bonds, as provided by existing laws, a sum not exceeding three hundred and seventy-five dollars . . .	\$375 00
735	For payment of any claims, as authorized by section eighty-nine of chapter thirty-two of the General Laws, as amended, for allowances to the families of members of the department of public safety doing police duty killed or fatally injured in the discharge of their duties, a sum not exceeding seventy-three hundred and eighty dollars . . .	7,380 00
736	For small items of expenditure for which no appropriations have been made, and for cases in which appropriations have been exhausted or have reverted to the treasury in previous years, a sum not exceeding one thousand dollars . . .	1,000 00

Item

737	For reimbursement of persons for funds previously deposited in the treasury of the commonwealth and escheated to the commonwealth, a sum not exceeding ten thousand dollars	\$10,000 00
	Total	\$18,755 00

DEFICIENCIES.

For deficiencies in certain appropriations of previous years, in certain items, as follows:

Service of the Legislative Department.

For printing, binding and paper ordered by the senate and house of representatives, or by concurrent order of the two branches, with the approval of the clerks of the respective branches, the sum of eighteen hundred forty-five dollars and fifty-seven cents	\$1,845 57
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Service of the Land Court.

For personal services in the examination of titles, for publishing and serving citations and other services, traveling expenses, supplies and office equipment, and for the preparation of sectional plans showing registered land, the sum of four hundred twenty-two dollars and seventy-seven cents	422 77
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Service of the Executive Department.

For postage, printing, office and other contingent expenses, including travel of the governor, the sum of seventy-two hundred seventy dollars and sixty-one cents	7,270 61
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Service of the Adjutant General.

For services other than personal, and for necessary office supplies and expenses, the sum of one hundred forty-five dollars and thirty-seven cents	145 37
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Service of the Militia.

For pay and transportation of certain boards, the sum of seven hundred thirteen dollars and forty cents	713 40
For pay and transportation in making inspections and surveys, and for escort duty, the sum of two hundred eighty-nine dollars and ninety-six cents	289 96
For transportation of officers and non-commissioned officers for attendance at military meetings, the sum of five hundred six dollars and ninety-four cents	506 94
For compensation, transportation and expenses in the preparation for camp duty maneuvers, the sum of thirteen hundred two dollars and sixty-two cents	1,302 62
For compensation for special and miscellaneous duty, the sum of two hundred forty-six dollars and thirty-two cents	246 32
To cover certain small claims for damages to private property arising from military maneuvers, the sum of one hundred dollars and eighty-two cents	100 82

Service of the Commission on Administration and Finance.

Item

Purchase of paper:

For the purchase of paper used in the execution of the contracts for state printing, other than legislative, with the approval of the commission on administration and finance, the sum of nineteen hundred ninety-one dollars and six cents . . . \$1,991 06

Service of the Alcoholic Beverages Control Commission.

For services other than personal, including rent of offices, travel, and office and incidental expenses, the sum of three thousand fifty dollars and seventy-four cents 3,050 74

Service of the Secretary of the Commonwealth.

For matters relating to elections:

For expenses of publication of lists of candidates and forms of questions before state elections, the sum of five hundred twenty-nine dollars and fifty cents 529 50

For administering the law to permit absent voters to vote at state elections, the sum of sixty-two dollars and forty-six cents 62 46

Service of the Emergency Finance Board.

For administrative expenses of the emergency finance board, the sum of sixteen hundred ten dollars and sixty-three cents 1,610 63

Service of the Attorney General's Department.

For services other than personal, traveling expenses, office supplies and equipment, the sum of fifteen hundred ninety-five dollars and sixty-four cents . . . 1,595 64

Service of the Department of Conservation.

Division of Forestry:

For reimbursement to certain towns, as authorized by section twenty-four of chapter forty-eight of the General Laws, as appearing in the Tercentenary Edition thereof, the sum of one hundred thirty-two dollars and thirty-one cents 132 31

Salisbury Beach Reservation:

For the maintenance of Salisbury beach reservation, the sum of one hundred seventy-eight dollars and sixty-one cents 178 61

Service of the Department of Corporations and Taxation.

Corporations and Tax Divisions:

For other services, necessary office supplies and equipment, travel, and for printing the annual report, other publications and valuation books, the sum of fifty-six hundred ninety-one dollars and twenty cents 5,691 20

Service of the Department of Education.

For the reimbursement of certain towns for the payment of tuition of pupils attending high schools outside the towns in which they reside, as provided by law, the sum of twenty-five hundred seventy-nine dollars and thirty-one cents 2,579 31

Item

For the reimbursement of certain towns for the transportation of pupils attending high schools outside the towns in which they reside, as provided by law, the sum of eighty-four hundred six dollars and thirteen cents	\$8,406 13
English-speaking Classes for Adults:	
For reimbursement of certain cities and towns, the sum of four thousand thirty-eight dollars and forty-six cents	4,038 46
Division of Immigration and Americanization:	
For other expenses, the sum of two hundred ninety-five dollars and nineteen cents	295 19
Massachusetts Nautical School:	
For personal services of the secretary and office assistants, the sum of seventy-nine dollars	79 00
State Teachers' College:	
For the maintenance of the boarding hall at the state teachers' college in Framingham, the sum of one thousand three dollars and sixty-three cents . .	1,003 63
<i>Service of the Department of Civil Service and Registration.</i>	
Board of Registration of Barbers:	
For travel and other necessary expenses, the sum of seventy-seven dollars and nine cents	77 09
<i>Service of the Department of Correction.</i>	
For services other than personal, including printing the annual report, necessary office supplies and equipment, the sum of one hundred forty-six dollars and fifty-seven cents	146 57
For traveling expenses of officers and employees of the department, when required to travel in the discharge of their duties, the sum of three hundred sixteen dollars and forty-one cents	316 41
<i>Service of the Department of Public Welfare.</i>	
Division of Child Guardianship:	
For services other than personal, office supplies and equipment, the sum of one hundred fifty-six dollars and twenty-four cents	156 24
<i>Service of the Department of Public Safety.</i>	
For other necessary expenses of the uniformed division, including traveling expenses of detectives, the sum of sixty-two dollars and forty-seven cents	62 47
State Boxing Commission:	
For other expenses of the commission, the sum of two hundred ten dollars and thirty-five cents . .	210 35
<i>Service of the Department of Public Works.</i>	
For services other than personal, including printing pamphlet of laws and the annual report, and necessary office supplies and equipment, the sum of eighty-six dollars and thirty-five cents, to be paid from the Highway Fund	86 35

Item

For the maintenance and repair of state highways, including care of snow on highways, expenses of traffic signs and lights; for payment of damages caused by defects in state highways, with the approval of the attorney general; for care and repair of road-building machinery; and for the maintenance of a nursery for roadside planting, the sum of nine thousand thirty-four dollars and ninety cents, to be paid from the Highway Fund .	\$9,034 90
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Metropolitan District Commission.

For maintenance of parks reservations, including the retirement of soldiers under the provisions of the General Laws, the sum of seven hundred ninety-one dollars and seventy-seven cents .	791 77
For the cost of providing additional bathing facilities in the towns of Holden, Rutland and Sterling, a sum not exceeding four hundred two dollars and sixty-one cents, the same to be in addition to any amount heretofore appropriated for the purpose and to be assessed as a part of the cost of the metropolitan water maintenance	402 61
Total	\$55,373 01

Metropolitan District Commission.

The following items are to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction and with the approval of the metropolitan district commission:

739	For maintenance of the Charles River basin, a sum not exceeding two hundred sixty-four thousand eight hundred and seventy dollars, including retirement of soldiers under the provisions of the General Laws .	\$264,870 00
740	For maintenance of park reservations, including the purchase of land and the retirement of soldiers under the provisions of the General Laws, a sum not exceeding one million one hundred forty-seven thousand nine hundred and ten dollars .	1,147,910 00
741	For the expense of holding band concerts, a sum not exceeding twenty thousand dollars, to be assessed as part of the cost of maintenance of parks reservations .	20,000 00
742	For expense of supplies and services necessary for procuring Works Progress Administration funds, a sum not exceeding twelve thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose and to be assessed as part of the cost of maintenance of parks reservations .	12,000 00
743	For extending and improving the Lynn sea wall, a sum not exceeding eleven thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose and to be assessed as part of the cost of maintenance of parks reservations .	11,000 00
744	For the construction of a sanitary in the vicinity of Oak Island, a sum not exceeding twelve thousand dollars, to be assessed as part of the cost of maintenance of parks reservations	12,000 00

Item		
744a	For expense of supplies and services necessary for procuring Works Progress Administration funds for continuing the construction of additional facilities at the Ponkapoag golf course, a sum not exceeding twenty thousand dollars, to be assessed as part of the cost of maintenance of parks reservations	\$20,000 00
745	For improving a portion of the beach at Wollaston, a sum not exceeding six thousand dollars, to be assessed as part of the cost of maintenance of parks reservations	6,000 00
746	For the cost of constructing a radio room on the roof of the metropolitan district building, a sum not exceeding five thousand dollars, to be assessed as part of the cost of maintenance of parks reservations	5,000 00
747	For services and expenses of the division of metropolitan planning, a sum not exceeding nineteen thousand eight hundred dollars	19,800 00
748	For maintenance of the Nantasket Beach reservation, a sum not exceeding one hundred four thousand seven hundred dollars	104,700 00
749	For maintenance of Wellington bridge, a sum not exceeding ten thousand two hundred dollars, including retirement of soldiers under the provisions of the General Laws, the same to be in addition to the amount appropriated in item seven hundred and twenty-six	10,200 00
750	For the maintenance and operation of a system of sewage disposal for the north metropolitan sewerage district, a sum not exceeding four hundred seventeen thousand eight hundred and five dollars, including retirement of soldiers under the provisions of the General Laws	417,805 00
751	For repairs and improvements to the wharf at Deer Island, a sum not exceeding two thousand dollars, to be assessed as part of the cost of maintenance of the north metropolitan sewerage district	2,000 00
752	For the reconstruction of a trestle for the water intake pipe at Deer Island, a sum not exceeding twenty thousand dollars, to be assessed as part of the cost of maintenance of the north metropolitan sewerage district	20,000 00
753	For the replacement of boilers at the East Boston pumping station, a sum not exceeding fifteen thousand dollars, to be assessed as part of the cost of maintenance of the north metropolitan sewerage district	15,000 00
754	For the maintenance and operation of a system of sewage disposal for the south metropolitan sewerage district, a sum not exceeding three hundred thousand four hundred and thirty-seven dollars, including retirement of soldiers under the provisions of the General Laws	300,437 00
755	For the maintenance and operation of the metropolitan water system, a sum not exceeding one million six thousand three hundred and ninety dollars, including retirement of soldiers under the provisions of the General Laws	1,006,390 00
756	For the purchase of property for protection of the water supply, a sum not exceeding fifteen thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose and to be assessed as a part of the cost of the metropolitan water maintenance	15,000 00

Item

758	For the construction of additions and improvements to certain supply and distribution mains, as a part of the cost of maintenance of the metropolitan water system, a sum not exceeding three hundred thousand dollars, the same to be in addition to any unexpended balance of an appropriation made for the purpose in the previous year	\$300,000 00
	Total	\$3,710,112 00
	General and Highway Funds	\$70,102,030 58
	Metropolitan District Commission	3,711,306 38

SECTION 3. No liabilities in excess of appropriations provided for under this act shall be incurred by any department or institution, except in cases of emergency, and then only upon the prior written approval of the governor and council. The state comptroller is hereby directed to send a copy of this section to each departmental, divisional and institutional head immediately following the passage of this act, together with a copy of suitable regulations relative to applications for transfers from the appropriation for extraordinary expenses as provided by section eight of chapter six of the General Laws.

SECTION 4. The sums appropriated for maintenance of certain institutions include allowances for the purchase of coal to April first, nineteen hundred and thirty-eight, and balance representing these sums may be carried forward at the end of the fiscal year.

SECTION 5. No payment shall be made or obligation incurred under authority of any special appropriation made by this act for construction of public buildings or other improvements at state institutions until plans and specifications have been approved by the governor, unless otherwise provided by such rules and regulations as the governor may make.

SECTION 6. No expenses incurred for mid-day meals by state employees, other than those who receive as part of their compensation a non-cash allowance in the form of full or complete boarding and housing, and those employees who are stationed beyond commuting distance from their homes for a period of more than twenty-four hours, shall be allowed by the commonwealth.

SECTION 7. The budget commissioner is hereby directed to send a copy of sections five and six of this act to each departmental, divisional and institutional head immediately following the passage of this act.

SECTION 8. This act shall take effect upon its passage.

Approved April 26, 1937.

*Chap.*235 AN ACT AUTHORIZING MUNICIPALITIES ENGAGED IN THE DISTRIBUTION OF GAS OR ELECTRICITY TO CONDUCT THE BUSINESS OF SELLING, INSTALLING AND SERVICING CERTAIN MERCHANDISE, EQUIPMENT, UTENSILS AND CHATTELS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 164, § 34,
amended.

SECTION 1. Section thirty-four of chapter one hundred and sixty-four of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following new sentence: — A town, engaged in the business of distributing gas or electricity, may, as a part of such business, if an appropriation is made therefor, sell at prevailing retail prices, install and service, within the territory served by such business, merchandise, equipment, utensils and chattels of any description, incidental or auxiliary to the use of gas or electricity distributed to its consumers or necessary or expedient in the protection or management of its property used in such business, — so as to read as follows: — *Section 34.* A town may, in accordance with this chapter, construct, purchase or lease, and maintain within its limits, one or more plants for the manufacture or distribution of gas or electricity for municipal use or for the use of its inhabitants. Such plants may include suitable land, structures and machinery and other apparatus and appliances for manufacturing, using and distributing gas or electricity for said purposes. A town, engaged in the business of distributing gas or electricity, may, as a part of such business, if an appropriation is made therefor, sell at prevailing retail prices, install and service, within the territory served by such business, merchandise, equipment, utensils and chattels of any description, incidental or auxiliary to the use of gas or electricity distributed to its consumers or necessary or expedient in the protection or management of its property used in such business.

Acquisition
of lighting
plants by
cities and
towns.

Validation
of certain
acts.

SECTION 2. All action heretofore taken by a city or town, and all acts heretofore done by any of its officers, in connection with the sale, installation or service of merchandise, equipment, utensils or chattels described in section one, are hereby confirmed and made valid to the same extent as though said section one had then been in effect.

Approved April 29, 1937.

AN ACT RELATIVE TO PAYMENT OF THE COMPENSATION OF MEMBERS OF THE GENERAL COURT. *Chap.236*

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter three of the General Laws is hereby amended by striking out section nine, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 9.* Each member of the general court shall receive two thousand dollars for each regular annual session of the term for which he is elected, and four dollars and twenty cents for every mile of ordinary traveling distance from his place of abode to the place of sitting of the general court. The president of the senate and the speaker of the house of representatives shall each receive two thousand dollars additional compensation. Each member of the general court shall be entitled to be paid his compensation at the rate of two hundred dollars for each full month of the session. Such payments shall be made to him, upon his request, on the last legislative day in which the general court is in session preceding the fifteenth day of each month and on the day preceding the last legislative day of each month, and shall be for an amount not exceeding the proportion then due at the aforesaid rate; provided, that the state treasurer, in his discretion, may, during the annual session, make additional payments on account, in excess of such monthly rate, to any member making written request therefor, but the amount of such additional payments shall not exceed, in the aggregate, three hundred dollars in any one session, and in no event shall the amount of all payments under this section in any year to any member exceed, in the aggregate, the compensation of such member for the annual session. G. L. (Ter. Ed.), 3, § 9, amended.
Compensation of members.

SECTION 2. Section eleven of said chapter three, as so appearing, is hereby repealed. *Approved April 29, 1937.*

AN ACT ESTABLISHING SUFFOLK UNIVERSITY.

Chap.237

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The name of the Suffolk Law School, a corporation incorporated by chapter one hundred and forty-five of the acts of nineteen hundred and fourteen, is hereby changed to Suffolk University. Said corporation shall hereafter consist of not more than twenty-one members.

SECTION 2. Suffolk University shall include the departments now known as Suffolk law school, Suffolk graduate school of law, Suffolk college of liberal arts, Suffolk college of journalism and a new department to be known as Suffolk college of business administration.

Said university shall possess all the powers and privileges heretofore granted by said chapter one hundred and forty-five and by chapter fifteen of the acts of nineteen hundred and thirty-five, together with such additional powers and privileges as are possessed by colleges of journalism and business administration in this commonwealth, including power to confer appropriate degrees and to grant appropriate diplomas.

Approved April 29, 1937.

Chap.238 AN ACT AUTHORIZING THE ERECTION OF CERTAIN PENT HOUSES OR OTHER STRUCTURES ABOVE THE ROOF LINE OF THE PROPOSED ADDITIONAL UNIT TO THE SUFFOLK COUNTY COURT HOUSE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Any pent houses or other structures for the enclosure of elevator machinery or shafts or mechanical equipment erected above the roof line of any building to be erected on Pemberton square and Somerset street in the city of Boston, as an additional unit to the Suffolk county court house, under the provisions of chapter four hundred and seventy-four of the acts of nineteen hundred and thirty-five, may, with the approval of the building commissioner of said city, be erected above the height limit established by section one of chapter sixty of the acts of nineteen hundred and thirty-six, notwithstanding any provision of said chapter sixty or of any other general or special law inconsistent herewith.

SECTION 2. This act shall take effect upon its passage.

Approved April 29, 1937.

Chap.239

AN ACT DISSOLVING CERTAIN CORPORATIONS.

Emergency
preamble.

Whereas, It is necessary that certain delinquent and other corporations be dissolved in the current year, therefore this act is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Such of the following named corporations as are not already legally dissolved are hereby dissolved, subject to the provisions of sections fifty-one, fifty-two and fifty-six of chapter one hundred and fifty-five of the General Laws: —

A and C Investment Corporation, The, A. & E. Profita, Inc., A & J Motor Lines, Inc., A B C Puzzle Advertising Company, A. C. C. Corporation, The, A. C. Manufacturing Company, A. Claus' Sons, Inc., A. E. Brady Company,

A. E. Covelle Co., A. F. Brown Co., A. H. Wilson & Company, Incorporated, A. I. Savitz Co. Inc., A. J. Chaput Company, Inc., A. J. Fawcett, Incorporated, A. L. Nichols Company, The, A. Michelini & Sons, Inc., A. Rosenberg & Co., Inc., A. Swiman Company Inc., Academy Theater of Fall River, Incorporated, Acme Heating & Power Equipment Corporation, Acoaxet Realty Company, Adams and Abbott, Inc., Adams Realty Corporation, Adler Richards Co., Inc., The, Adonijah Farm, Inc., Advocate Press, Inc., Air Conditioners, Inc., Alben Bag Co., Inc., Albert Flower Inc., Alden-Walker, Inc., Aldrich Syndicate, Inc., Alfred Brigham Co. (1914), Alfred V. Rivest Co., Alfred W. Ravening, Incorporated, Alhambra Theatre Co., Alkaloid Products Corporation, All-State Construction Company, The, Allen Brothers Construction Company, Allen-Howe Inc., Allen's Market, Inc., Allied Dental Laboratory, Inc., The, Allied Finance Corporation, Allied Service Corp., Allston Storage Warehouse Inc., Allyn, Inc., Alpha Holding Company, Inc., Alton Investment Co. Inc., American Brands Corporation, American Fire Equipment Company, Inc., American Food Stores Corporation, American Motors of Somerville Inc., American Pictures, Inc., American Provision Company, American Shoe Pattern Manufacturers, Inc., American Spring Service Company, American Trademark Association, Inc., Ancient River Corporation, The, Anderson Manufacturing Company, Anderson Realty Corporation, Andrews & Wald Roofing Corp., Andrews Shade Company, The, Anthony Leather Company, Apollo Theatres Incorporated, Arborway Associates, Inc., Arcese Construction Company, The, Archibald Wheel Company, Arco Manufacturing Company, Ardmore Laundry, Inc., Arlington-Belmont Ice Company, Arlington Buildings, Inc., Arlington Motors, Inc., Armand Company of Massachusetts, The, Armstrong Building Finish Co., Aronette Manufacturing Co., Arrow Shoe Stores, Inc. of Springfield, Arrow Transportation, Inc., Arthur B. Porter, Inc., Arthur Treat Company, Asiatic Trading Company, Inc., Associated Motors, Inc., Associated Printers, Inc., Association of Eastern Credit Men, Incorporated, Athol Real Estate Trust Incorporated, Atlantic Cone Company, Inc., Atlantic Ornamental Iron and Wire Works, Inc., Atlantic Precision Instrument Company, Atlantic Provision Company, Atlantic Sales Company, Atlas Footwear Company, Inc., Attleboro Automobile Company, Atwood Brothers, Incorporated, Atwood-Thomas Construction Company, Auburn Worsted Company, Inc., Auto Cruiser Manufacturing & Sales Co., Inc., Auto Warehouse Sales Co., Autolux Sign Company, Automatic Heat Institute, Inc., Automatic Trading Corp., Automobile Safety Device Corporation, Automotive Finance Corporation, Automotive Radiator Corp., Avery Cafeteria, Inc., Avon Products Sales Co.

B. & A. Motors Garage & Warehouse Inc., B & C Stores, Inc., B. G. & S. Theatre Corporation, Baber Company,

Babson Park Company, Bachelder Motor Company, Back Bay Furniture Company, Inc., Ball Sq. Public Market, Inc., Bancroft Candy Company, Inc., Bancroft Tissue Corporation, Bankers Fiscal Corporation, Barden Brothers Company, Barkentine, Inc., Barlow Coal Company, Barnes Chevrolet Sales & Service, Inc., Barnet Slosman & Co., Inc., Baron Bros. & Peltz, Inc., Barre Motor Company, Incorporated, Barrett Transportation Co., Inc., Barron's Outlet, Inc., Barstow, Hill & Company, Incorporated, Bay State Film Exchange Co., Bay State Finance Corporation, Bay State Motor Sales & Service, Inc., Bay State Restaurant, Inc., Bay State Upholstering Company, Bay State Wood Heel, Inc., Baylite Lamp & Shade Co., Bea Shoe Co., Beach Theatre and Dramatic School, Inc., Beacon Chevrolet Company, Beacon Cloak & Suit Co. Inc., Beacon Diner, Inc., Beacon Holding Co., Beacon Metals Inc., Beacon Paint Products Company, Beals McLaughlin & Parker Masters Co., Beaver Transportation Company, Beckman & Tilden, Inc., Befco Inc., Belgian Village, Inc., Bell Mortgage & Finance Corporation, Bell Refrigerator & Store Fixture Company, Belmont Pharmacy, Incorporated, of Brighton, Belmont Sales Company, Belvidere Paint & Hardware Company Inc., Ben-Burk Sales Corporation, Ben Katzeff, Inc., Benj. N. Moore & Sons Company, Bennett-Chapmanizing, Inc., Berkeley Financial Service, Inc., Berkshire Creamery Company, Berkshire Flying Service, Inc., Berkshire Progressive Corporation, Best Construction Co. Inc., The, Better-Built Pumps, Inc., Better Motors, Inc., Beverage Distributors, Inc., Beverly Building Association, The, Beverly Permanent Wave Shop, Inc., Biblion, Inc., Bick Leather Finishing Co. Inc., The, Big Six Motor Express, Inc., Biogene Chemical Company, Inc., Blake Office Supply Co., Inc., Blondell Apparel Shop, Inc., Blue Anchor Tavern Inc., Blue Eagle Meat Market, Inc., Blue Hill Coal & Coke Company, Blue Hill Ice Company, Blue Seal Co. Ltd., Bon Ton Laundry Co., Bond Finance Corporation, Bond Trading Corporation, Bonnie Brae Brands, Inc., Boston American League Basketball Club, Inc., Boston Amusement Corp., Boston Automobile Company, Boston Backing Co., Inc., Boston Baggage Company, Boston Brass Company, Boston Brass Company, Inc., Boston Building Material Company, Boston Coal Company, Boston Consumers Cooperative Association, Boston Express Exchange, (Incorporated), Boston Fibre Corporation, Boston Furniture Mart, Inc., Boston Hatters Supply Inc., Boston Heating Company, Boston Kennel Club, Inc., The, Boston Motor Warehouse, Inc., Boston Moulded Products Company, Boston Optical Company, Inc., Boston Piano Supply Company, Boston Sportswear, Inc., Boston Store of Beverly Inc., Bottle Shop, Inc., The, Bowdoin Square Cigar Company, Bowmar Restaurant Company, Boyer Realty Co., Inc., Bradford Realty Co. Inc., Bragdon Produce Company Inc., Braintree Coal & Grain Co. Inc., Brattle Drug

Company, Inc., Breezy Hill Farms, Inc., Brewer's Express, Inc., Briery-Lombard Company, The, Briggs Funeral Service, Inc., Brimfield Brick Company, Brindis-Drapler Shoe Company, Brinton-Bayles Flying Service, Inc., Brockton Plumbing & Heating Supply Company, Brockware Food Company, Inc., Brohava, Incorporated, Brookline General Hospital Corporation, Brookline Home Development Corporation, Brookline Homes, Inc., Brophy Auto Supply Company, Broude & Bagran, Inc., Brown Radio & Appliance Corp., Bruce & Sparkes, Inc., Burditt & Williams Co., Burke Shoe Co., Inc., Burrich Shoe Co., Business Associates Inc., Business Service of N. E., Inc., Bussey Motor Sales Inc., Butler's Garage, Inc., Butman Grain & Feed Company, Byron Shoe Company, Inc.

C & W Tool Company, C. B. Chase Corporation, C. B. White & Company, Inc., C. E. Harris Co., The, C. Fred Spring Co., Inc., C. H. Cunningham & Son Co., C. H. G. Cederborg Company, C. S. Watson Co. Inc., C. Sugarman & Sons, Inc., C. Torrielli Co., Inc., C. W. Shippee, Inc., Calia and Zarella Company, Inc., Callanan & Archer Co. Inc., Callaway Associates Inc., The, Cambria Chocolate Company, Cambridge Battery Service Company, Incorporated, Cambridge Engraving Company, Cambridge Ice Company, Cambridge Machine & Tool, Inc., Camden Sons Motor Company, Camera Picture Shops, Inc., Camp Idlewild, Inc., Camp Viking, Inc., Campbell & Moore, Inc., Campello Motor Company, Campello Nail-less Heel Company, Canton Corner Garage, Inc., Cape Cod Hotel Company, Cape Cod Motor Exchange Inc., Capital Clothing Co. Inc., Capitol Neckwear Co., Captain's Nook Incorporated, Carbone Brothers Music Shop Inc., Carder Wood Working Company, Cardoza Bros. & Pina, Inc., Cariboo Syndicate of Massachusetts, Inc., Carl F. Lawton & Co., Inc., Carl J. Johnson Company, Inc., Carleton-Mace Engineering Corporation, Carlow Automobile Company, Carlton Shoe Co., Inc., Carlton's, Inc., Carney & Company Inc., Caroline-Levins Shoe Co., Inc., Carp's, Inc., Carter-Korth Oil Burners, Inc., Carter Realty Company, Cary Pharmacy Inc., Casa Napoli, Inc., Casey's Incorporated, Castle Rock Springs Co., Inc., Cefalo Construction Company, Centerbar Corporation, Central Auto Parts Company, Central Building Company, Central Manufacturing Company, Inc., Central Massachusetts Laboratories, Inc., Central Massachusetts Publishing Co., Central Radio Stores, Inc., Central Service Company, Inc., Central Stores Inc., Central Theatre Operating Company, Central Wharf and Vessels Company, Central Wholesale Grocery Co., Century Press, The, Century Shoe Corporation, Chain Leather Co., Chapdelaine Construction Company, Inc., Chapin, Inc., The, Charles River Meadows, The Proprietors of, Charles Shoe Company, Charlesgate Hospital Incorporated, Chase Grain Mill, Chef Grandé, Incorporated, Chelsea Veritas, Inc., Chemical Coated Products Co., Chemical Laboratories, Inc., Chester A. Chabot,

Inc., Chesterfield, Inc., Chicken Products Corporation, Chicopee Finance Corporation, Childs, Jeffries & Co., Incorporated, Chile Wines Importing Company, Inc., The, Chimes Cafeteria Inc., Cinder Concrete Units Corporation, Cinder Refining Corporation, Citizens Motor Sales Corporation, Citro Products Co., Inc., City Dye Works, Incorporated, City Finance Corporation, City Sea Grill, Inc., City Taxi Service, Inc., City Welding & Radiator Company, Inc., Claflin Sales Co., Clarendon Garage Corporation, Cleb Automatic Control Co., The, Clifton Laundry, Inc., Clinton Land and Building Corporation, Clyde R. Sanders Inc., Cobb's Markets, Inc., Coburn Trolley Track Manufacturing Company, Cock of the Walk Mfg. Co., Colchester Mill Company, The, Coleman Groves Company, Collegian, Inc., The, Collier Manufacturing Co., Colonial Enterprises Inc., Colonial Furniture Mart, Inc., Colonial Garage of Willimansett, Incorporated, Colonial Laboratories, Inc., Colonial Rug Company, Colorenda Camera Corporation, Colson's Puritan Dental Company, Columbia Cloak and Suit Company, Inc., Columbia Service Stations, Incorporated, Columbia Springfield Motor Company, Columbus Construction Company Inc., Commercial Adjustments and Audits, Inc., Commercial Box Co. Inc., Commonwealth Kennel Club, Inc., Commonwealth Motor Mart, Inc., Commonwealth Realty Company, Community Shoppers, Inc., Conanicut Mfg. Co., Concord Lunch, Inc., Concord Motor Company, Condit Electrical Manufacturing Corporation, Congress Beauty Supply Company, Congress Company, The, Congress Parlor Furniture Factories, Inc., Connecticut Valley Polish Co-operative Corporation, The, Connelly's Inc. (1932), Consolidated Merchandising Corporation, Consolidated Press Company, Consolidated Weir Company, Consolidation Coastwise Company, Consumers Coal Corporation, Consumers' Company, Cool Foods Equipment, Inc., Coolidge Hill Associates, Inc., Coordinators Incorporated, Copy-Writer Sales Corporation of Massachusetts, Coral Land Co. Inc., Corey Hill House, Inc., Corey Leather Company, Cornhill Lunch, Inc., Correct-O-Lite Co. of New England, Cosmopolitan Trading Corporation, Cotter Plumbing Supply Co., Cotton-Wood Products Inc., Country Club Community Corp., Court Contracting & Engineering Co., Court Pharmacy Inc., Courtney and Eldredge, Inc., Cover Leather Company, Cowin Coal Company, Crafters Incorporated, Crafts Department Store, Inc., Craig & Kimball, Inc., Credit Acceptance Company, Creedman Studios Inc., Crescent Realty Corp., Crescent Shoe Mfg. Co., Inc., Crescenttower, Inc., No. 2, Cresylite Corporation, Crosby & Gillen Inc., Cross Woolen Co., Inc. (incorporated 1934), Crown Sea Food Company, Crystal Dress Shops Inc., Cummings Express Co., Cunningham & Thompson Company, Cushing Refrigerator Company, D. & M. Machinery Supply Co., D & O Box Corp., D. R. McKillop & Co. Inc., D. T. Kennedy Power Company, Dahlquist Manufacturing Company, Dainty Garment Dryer

Inc., Damon & Roemer, Inc., Daniel J. Marshall Company, Daniel Lawrence & Sons, Samuel C. Lawrence, Sole Proprietor, Inc., Dartmouth Factors Corporation, Davis Furniture Co. Inc., Davis Shoe Company, The, Davol Realty Company, Davol Wholesale Beverage Company, Inc., Del' Live Poultry Company, Delia Pharmacy, Inc., Delphi Restaurant Inc., Deltex Company, The, Dennison Airport Kennel Club, Inc., Devonshire Grill, Inc., Dillingham-Dykeman, Incorporated, Distillers Distributors Inc., The, Distributors Agency of New England, Inc., Domestic Sales Co., Inc., Dominion Fabrics Corporation, Donald A. Burdick, Inc., Donovan Drug Company, Dorasina Fur Corporation, Dorchester Coal Sales Co., Inc., Dorchester Duco Refinishers, Inc., Dorrs Market, Inc., Dorset Inn, Incorporated, Double Spring Shuttle Company, The, Dudley Cafe, Inc., Dudley Street Garage, Inc., Duncan & Goodell Co., Duncan & Goodell Realty Co., Dunster House Bookshop, Inc., Duplex Diesel Corporation, Durham Company, Durkee Shoe Company, Durso Construction Co.

E. A. A., Inc., E. & J. Laundry Company, E. D. Heffernan's Sons Company, E. D. Hewins Inc., E. H. Clapp Rubber Company, E. L. Bonney Box Co., E. S. Hall, Inc., E. W. Pitman Company, E. Zorbas Co., Eagle Amusement Company, Earl D. Smith Insurance Agency, Inc., Earl O. Maxwell, Inc., Eastern Building Finish Company, The, Eastern Garage Company, Eastern Home Development Corporation, Eastern Ocean Shipping Corporation, Eastern Sportswear Company, Inc., Eastern Tire Company, Eastland Sales Corporation, Ebling Brewing Co., Inc., The, Eclipse Lacquer and Chemical Company, The, Economic Lamp Company, Edmund S. Hunt & Sons Corp., Egleston Square Chevrolet, Inc., Elaine Dress Shoppes, Inc., Elangee Amusement Corporation, Eleanor Shoe Company, Inc., Electric Steam Heating Corporation, Electric Window Salesman Company, Electronic Devices Distributing Corporation, Elgin Silk Company, Elite Cafe Inc., Elm Street Theatre Operating Company, Emerson Store, Inc., Emily G. Webb, Inc., Emperor Diner Inc., Empire Burner Mfg. Co., Inc., Empire Jewelry Company Inc., Enamel Craft Company, Epic Pictures, Incorporated, Epstein's Inc., Equitable Credit Service, Inc., Equitable Optical Company, Ernest P. Elmstrom Inc., Essex Die Company, Essex Paint and Wallpaper Company, Inc., Estabrooks and Sibley Company, Everett Mills, Everett Shoe Company, Inc., Everett Theatre Co., Exchange Cash & Carry Company, Inc., Exeter Company, The, Ezykut Tool Corporation, The.

F. A. Goduti & Son, Inc., F. C. Warren and Bradford Co., F. L. Reynolds Co., Inc., F. Pritchard & Son Inc., F. S. Carr Company, F. S. Cheney Lumber Co., Inc., F. W. Wunderlich Inc., Fahey & Nolan's Market, Inc., Fairhaven Star, Inc., The, Fall River Motor Mart, Inc., Falmouth Airport Corporation, Farmers Grain & Feed Company, Farmington Dairy, Incorporated, Farrell's, Inc., Fay Roope

Associates Inc., Fayston Cafeteria and Lunch Inc., Federal Bake Shops of Massachusetts, Inc., Federal Fuel Co. Inc., Federal Home Development Corporation, Federal Street Corporation, Feely Company, Feldman & Company, Inc., Feldman's Restaurants, Inc., Fellsway Cheese Co. Inc., Felton Turner Heating Co. Inc., Fenway Storage Warehouse Co. Inc., Fern and Poor Company, Fernald's Exchange Incorporated, Fiduciary Shares, Inc., Fielding Sales Corporation, Finance Corporation of New England, Financial Service Inc., Fire Alarm Signal Co., Fireman Publishing Company, The, First Bankers' Union, Inc., First Permanent Exhibit, Inc., Fitchburg Concrete Construction Company, The, Fitchburg Electrical Appliance Co., Fitchburg Horn Goods Corporation, Fitts Bros., Inc., FitzGerald Waters Co. Inc., Fitzmaurice's Tavern, Inc., Flexion Company, Flint Ice Company, Inc., Flint Mills Realty Corporation, Florence Amusement Association, Incorporated, Flye Motors, Inc., Fodale Market Inc., Fold-Well Table Co. Inc., Food Specialty Company, Ford Dry Cleaning Company, Fore River Coal Co., Forest Hills Wet Wash, Inc., Fournier Realty Corporation, Fowler-Smith, Inc., Fox & Jensen Candy Co., Fox & Warren, Inc., Framingham Kennel Club, Inc., Francis Willey & Co. Inc., Franco Mfg. Co., Frank A. Bertsch Lumber Company, Frank H. Densmore Co., Inc., Frank P. Crain Drug Co., Frank W. Foye Company, Franklin Cloak Co., Franklin Motor Company of Worcester, Inc., Franklin Park Theatre Corp., Franklin Weaving Co., Frazier-Murray, Inc., Fred G. Leeman Co., Fred R. Farwell Company Inc., Fredrick A. Durward & Co., Inc., Freeman Parlor Furniture Company, Fresh Pond Ice Company, Fuller's Tavern, Inc., Fulton Beef Co., Inc.

G. C. Hudson & Company, Incorporated, G. L. Clift Company, G. R. Willis & Co. Inc., Galassi Mosaic & Tile Co., Garden City Sand & Gravel Co., Gateway Hotel Company, Gay Street Garage, Inc., Gem Automotive Corporation, General Automatic Alarm Corporation, General Building Wrecking Company, General Container Corporation, General Furniture Corp., General Glass Corp., General Hotels Company, Inc., General Plumbers' Supply Co., General Products Company, General Publishing Corporation, General Textiles, Inc., Genstil Shoe Co., Inc., Geo. H. Hadley Co., Inc., George H. Morrill Company of California, George H. Priggen Company, Geo. Knight & Co., Inc., George Liberman Co., George Shoe Company, Inc., George W. McNear, Inc., Gibby Foundry Company, Gilbert E. Young, Inc., Gilbert's Beauty Shop, Inc., Giles & Spear, Incorporated, Gillette Pharmaceutical Co., Gillis Shoe Company, Inc., Glen Farm, Inc., Glendale Pharmacy, Inc., Glick & Robinson Inc., Globe Drug Company, Gloucester Cold Storage and Warehouse Company, Glover Construction Co., Inc., Golden Company, Inc., The, Gollis Men's Shop, Inc., Good-Feld Company, Goodale Tire Service, Inc., Gordon F. Raymond Co., Gordon-Gray Corporation, Gor-

ham Laboratories Inc., Gorton-Pew Fisheries Company, Gorton-Pew Vessels Company, Gotham Automotive Stores, Inc., Graham and Morton, Incorporated, Granite Handbag Company, Inc., Grantham Kenyon Inc., Granville Bros. Aircraft, Inc., Graves & Brown, Inc., Greenfield Floral Company, Greycliff Realty Co., Inc., Greylock Motor Company, Inc., Griffin Flooring Company, Guertin Coal Company, Inc., Guthrie Corporation.

H & C Garage, Inc., The, H. & M. Realty Corporation, H. D. Foss and Company, Inc., H. L. Stearns Desk Co. Inc., H. W. Rust Company, Hadley Growers' Association, Incorporated, Halisey Valve Company, Halpern Shoe Mfg. Co., Inc., Hamilburg's Restaurant, Inc., Hampden Amusement Enterprises Inc., Hampden County Racing Association, Inc., Hampden Motors, Inc., Hampden Pants Co., Inc., Hams Lunch Inc., Hancock Service Corporation, Hande Shoppe, Inc., The, Hanflig-Rogers, Inc., Harborview Company, Harding Metal Company, Harding Realty Company, Hardtcourt, Inc., Harpley Industries, Inc., Harrison O. Apthorp Company, Hart Community Hospital, Inc., Hart Glass Corporation, Harvard Amusement Co., Harvard Oil Co., Harvard Service Station, Inc., The, Harvey Tire and Rubber Co., Inc., Hathaway Baking Company, Hawes Manufacturing Co., Inc., Hawthorne Tanning Co., Inc., Hayden's, Inc., Haymarket Grill Inc., Health Guild & Products, Inc., Health-Mor, Inc., Hebrew National Kosher Provision Co., Helvetia Oil Sales Corporation, Henry Shpetner Sons & Co., Inc., Henry W. T. Dutton Hotel Corporation, Herald Publishing Corporation, Hersey Hardware Company, Hesperus Realty Company, Hi-Yield Process Company, Hicks, Hirst, Inc., Highland Farms, Inc., Hildreth Granite Company, The, Hirshberg Shoe Company, Inc., Hodges Rubber Company, Inc., Hodgson Kennard Manufacturing Co., Holt's Cafeteria, Incorporated, Holvis Manufacturing Company, Home Builders Supply Co., Inc., The, Home Circle Stores Essex County Grocers' Association Inc., Home City Loan, Inc., Home Products Co., Inc., Hook and Hastings Company, The, Horne Coal Company, Horse Whip Company, The, Hotel Somerset Company, Houghton & Dutton Inc., Houghton Company, Household Finance Corporation, of Massachusetts, How-Mac Corporation, The, Howard Knitting Mills, Inc., Howland Trust, Inc., Howlett Company, Hoyle-Torrey, Inc., Hub Cycle Realty Company, Hub Oil Burner Equipment Co., Inc., Hub Pharmacy, Inc., Hub-Puritan Celery Co., Inc., Hugh Patrick Kelly, Inc., Humboldt Motor Car Company, Huntington Mills, Inc., Hyannis Auto Sales Co., Hygienic Products Corporation.

I. Lakin Sherbet Co. Inc., I. W. Crozier, Inc., I. X. L. Auto Repair Co. Inc., Imperial Oil Company of Mass., Independent Construction & Fencing Co., Independent Fruit & Produce Corp., India Rubber Goods Stores, Inc., Indian Overall Manufacturing Co., Individual Auto Renting Company, Industrial Minerals Corporation, Industrial Safety

Corporation, Ingalls & Yozell, Inc., Ingham's Inc., Insurance Research Corporation, International Food Company, International Textile Export and Research Company, International Vocation System, Interstate Freight Bureau, Inc., Ipswich Building Association, Inc., Isla Manufacturing Company Incorporated, Italian Wholesale Grocery Co.

J. A. Bacon, Inc., J. A. Singarella, Inc., J. C. Silbert Inc., J. D. Crosby Company, J. E. Carroll Pharmacy, Inc., J. E. Swendeman, Inc., J. F. Willett Co., J. H. Peckham & Sons Inc., J. Lipsitz Iron Co., J. P. Connolly Company, J. Scotch Construction Co., J. Totten & Sons Company, Jackson, Miller & Wilde, Inc., Jamaica Plain Building Finish Co., James A. Stretch Co., Inc., James E. Watkins Company, Inc., James H. Whelan Company, James Sunderland & Son Company, Jennings Company, Inc., The, Jersey Creamery Co., Inc., Jesse Roberts Company, Inc., Joan Plush Mills, Inc., Joe Mack's Old Timers, Inc., John Bright Shoe Stores Company, John E. Cousens Coal Company, The, John E. Murphy, Inc., John M. Kerr Productions, Inc., John N. Patriquin, Inc., John O'Shea, Incorporated, John W. Murray, Inc., Johnson's Dispatch Co., Johnston Auto Body Co., Inc., Johnston's Bakery, Inc., Jordan-Burnham Coal Company, Joseph E. Downey Co., Joslyn's Cleansers and Dyers Inc., Julian S. Jacobs Corporation, Justin Realty Co., Juvenile Furniture Manufacturing Co.

Kabley Inc., Kadet Compound Company, Kalix Cup Company, Kansas Mining & Royalty Company, Karl Gennelly Company, Karl Patten, Inc., Kaufman Realty Corp., Kaulbach-Leith, Inc., Kay Maid Dress Co., Ke-Bond Company, Incorporated, Kennedy Company, The, Kennel Inc., The, Kenney-Kennedy Realty Company, Kenzoa Country Club, Inc., Kenpore, Inc., Kenwyn Holding Co., Inc., Kiddie Klothes Shop, Inc., Kiely Bros. Inc., Killelea's Pharmacy, Inc., King & Watson, Inc., King Philip Steamship Company, Kirk Brothers, Inc., Kirk-Zwicker Company, Kirkwood Associates, Inc., The, Klarfeld Electrical Supply Company, Knowlton's Garage, Inc., Koerner & Mitchell Company, Koreum Leather Company, Korite, Inc., Koster Construction Company, Inc., Kravetz Trucking, Inc.

L. A. Laporte Auto Schools System, Incorporated, The, L. & G. Co. Inc., L & L Sales Inc., The, L. Christiansen Co., L. H. Hayward, Inc., L. L. McMaster Company, L. P. Stores, Inc., L. Q. White Shoe Company, Lace Shop Inc., The, Lady Friend Inc., Lae Trading Corporation, Lake Quinsigamond Hi-Hat, Inc., Lake Williams Ice Company, The, Lamson's, Inc., Landers' Lunch Inc., Landon Farms, Inc., Lane Drug Co., Lane Produce Company, Lane's Inc., Lang Motor Co., Larchar & Branch, Inc., Larkin Engineering Corporation, Larry Gering, Inc. of Massachusetts, Lasher-Weeber Company, Lawler Brothers Amusement Company, Lawler Brothers Outdoor Advertising Company, Lawrence Corporation, Lawrence Industries Corporation, Layton Optical Company, Inc., Leach Master Service Inc., Leahy Company,

The, Leathertogs Company, Lebanon Corporation, Lecoutre Corset Corporation, Lee Hotel Company, Lee Shoe Company, Inc., Lee's Diamond Company, Lee's Restaurant, Inc., Lenhoff & Co. Inc., Lenox Company, Inc., Lerner Dress Manufacturing Company, Lewis Automotive Equipment Company, Lewis-Cleaners & Dyers, Inc. of Worcester, Lewis F. Small, Incorporated, Life Insurance Advisory Service of America, Inc., Lincoln Co., The, Lincoln Tavern, Inc., Litchfield Linoplate Co., Litchfield's Express, Incorporated, Litehouse Lunches, Inc. Store No. 1, Little Harbour Corporation in Marblehead, The, Litvin Inc., Livingstone, Inc., Log Cabin Tap Inc., The, London Shoe & Leather Co., Inc., Long Machinery Corporation, Longmeadow Plank Road, Lorraine Diner, Incorporated, Louis Bourneuf Corporation, Louis Hurwitz Co. Inc., Louis Levin & Son, Inc., Louis Wood Heel Company, Lunar, Inc., Luncheonette, Inc., The, Lynn Beach Garage Co., Lynn Commercial Realty Co., Lynn Housing Corporation, Lynn Mill Dam, Proprietors of the, Lynncraft Shoe Company, Lynwood Dairies, Inc.

M. & M. Showboat, Inc., M. C. McKinstry Lumber Company, M. Maloney Company, M. Obst & Co., Inc., MacDonald Fish Corporation, Macken Bros., Inc., Made Rite Ice Cream Co., Inc., Made-Well Shoe Co., Magnolia Pharmacy, Inc., Magoun Square Chevrolet Inc., Maine Firewood Company, Inc., Majestic Development Corporation, Majestic Operating Company, Malden Ice Cream Company, Malden Motor Company, Malone Finance and Acceptance Corporation, Manhattan Company, Mann Instrument Company, Mansfield Paint & Varnish Co. Inc., Mansfield-Sullivan Wood Heel Co., Manufacturers Community Mortgage Loan Corporation, Maple Corporation, The, Marad Amusement Corporation, Marana Wood Heel Co., Inc., Marblehead Motor Co., Marblehead Tavern Company, Marbleridge Grain Company, Maria & Bohlman Company, Maricopa Gold Mines, Inc., Marie Swaim, Incorporated, Marion Mining Company, The, Marion Warehousing Company, Market Outlet Corporation, Marr Liquor Company, Marshall Machine & Baking Company, Marston Coal Company, Martin-Forbes, Inc., Martin's Express Co., Mary E. Moore, Incorporated, Mary J. Farrell, Incorporated, Mashapog Turnpike Corporation, Mason's Wildu Corporation, Massachusetts Advertising School, Inc., Massachusetts Beverage Co. Inc., Mass. Building Finish Co., Inc., Massachusetts Chocolate Company, Massachusetts Co-operative Dairies, Inc., Massachusetts Drive-In Theatres, Inc., The, Massachusetts Electric Dredge Co., Massachusetts Racing Association, Inc., Massachusetts Radio Distributing Company, Massachusetts Security Corporation, Massé Bros. Inc., Matheson Vail Company, The, Mattapan Finance Corporation, Matteson Mills Inc., Maurice Block Shoe Co., Inc., Max Marcuson & Sons, Inc., Mayflower Airlines, Incorporated, Mayflower Mortgage and Investment Corporation, Mayflower Upholstering Co., Inc.,

McBride's Inc., McGuire-Hennessy, Inc., McGuirk Driscoll Building Company, McKesson-Eastern Drug Company, McKesson-Springfield Drug Company, Meaney & Urpin, Inc., Medford Ice Company, Medford Reo Co., Mello Bakeries, Inc., Mellon Corporation, The, Mellyn-Stevens Co. Inc., Mendelsohn Co., Inc., Merchandisers Inc., Merchants' Forwarding Terminals Co. of Massachusetts, Merchants Hand Bag Manufacturing Co., Inc., Merchants Law Exchange, Inc., The, Merchants-Leavitt Shoe Corp., Merchants Mortgage Co., Merit Shoe Company of Lynn, Merkin, Inc., Merrick Dry Cleansing Co., Methuen Manufacturers Mortgage Loan Company, Methuen Theatre Company, Metro Auto Park, Inc., Metro Shoe Company, Metropolitan Furniture Company of Boston, Metropolitan Kennel Club, Inc., Metropolitan Marine & Fuel Company, Metropolitan Markets, Inc., Metropolitan Service Garages, Inc., Metz Equipment Sales Co. Inc., Middle Meadows, Inc., Middlesex Associates Inc., Middlesex Auto Body and Sales Corporation, The, Middlesex Theatres, Inc., Mil-Tex Airways Inc., Milady Beauty Salon, Inc., Milan Silk Mills Inc., Mildred Shoes, Inc., Milford Traprock Corp., Milgrim, Inc., Milhender Inc., Miller & Hilliard Shoe Co., Miller Tire Company, The, Miller's and Co. Inc., Milton Public Market, Inc., Milton S. Spies, Inc., Min-Tor Corporation, The, Minute Man Alarm Corporation, Minute Man Publishing Company, Minute Man Sand & Gravel Co., The, Miracle Laundry, Inc., Miracle Table Corporation, Mitchell Granite Polishing Co., Inc., Mitchell School Inc., Modern Shoe Company, Monarch Laundry, Inc., Mono-Crete Company, Monroe's Diner, Inc., Montana's, Inc., Montgomery von Goehde Co., Moquin & Fontaine Company, Morem Co., Morocco Chocolate Co. Inc., Morocco Confectionery Corporation, Morrill and Webster Inc., Morris Express, Inc., Morton Arena, Inc., Motor Express Agency, Inc., Motor Transport Advertising, Inc., Mount Hope Realty Corporation, Mower Counter Company, Municipal Securities Service Inc., Murdock Damper & Bronze Co., The, Murphy Hardware Company, Inc., Murray's Lunch Inc., Musicians Supply Company, Mutual Business Association, Inc., Mutual Securities Co., Myles Standish Nursery Co., Inc., Mystic Valley Mortgage Company.

N. A. Sherman, Inc., N. Rommelfanger, Inc., Naco Sales Co., Inc., Nagel Battery & Electric Co., Nan's Kitchens Inc., Nantasket Beach Steamboat Company, Naox Company, Nash Motor Sales, Inc., Nash Quincy Corporation, Nashua Sure-Hold Company, Nathan Goldsmith Motors, Inc., Natick-Wellesley Airport Corporation, National Advertising Corporation, National Construction Company, Inc., National Film Corp., National Heel Co., Inc., National Home Construction Co., National Home Improvement Corporation, National Interchange Credit Board, Inc. (1933), National Manufacturers Service, Inc., National Package Delivery Corporation, National Power Brake Co., National Research

Company, National Service Realty Co., National Thermo-graphic Products, Inc., Naugel Process Company, Incorporated, The, Needham Plumbing and Heating Company, Inc., Neod Products Incorporated, Neptune Realty Company, Netoco Bellevue Theatre, Inc., Netoco Community Theatre of North Attleboro, Inc., Netoco Embassy Theatre, Inc., Netoco Marlboro Theatre, Inc., Netoco Wollaston Theatre, Inc., New Bedford Battery Company Inc., New Bedford Professional Baseball Club, Inc., New Bedford Silk Mills, Inc., New Century Cafeteria, Inc., New Deal Cleansers & Dyers, Inc., New England Auto Body Corporation, New England Bagwood Company, New England Bond and Mortgage Company, New England Consolidated Coal Company, New England Contracting Co., Inc., New England Counter Company, Inc., New England Craftsman, New England Distributing Company, New England Dressed Meat & Wool Company, New England Homes, Incorporated, New England Industries, Inc., New England Note Company, Inc., The, New England-Overseas Corporation, New England Parlor Frame Manufacturers Association, Inc., New England Petroleum, Incorporated, New England Poster Service, Inc., New England Power Engineering & Service Corporation, New England Publicity Associates, Inc., New England Salvage Corporation, New England Shoe Mfg. Co., Inc., New England Specialty Manufacturing Co. Inc., New England Sterling Realty Corporation, New England Stores, Inc., New England Trunk Co., New England Yarns Inc., New Hampshire Grazing Company, The, New Home Washing Machine Co., New Idria Quicksilver Mines, Inc., New Novelty Corp., The, New Palais D'Or, Inc., New Park Hotel Corporation, New Park Lunch, Inc., New White Paint Corporation, New York and Boston Dispatch, Inc., New York Clothes Shops, Inc., New York Wall Paper Co., Inc., Newburgh-Dritsas Shoe Co., Inc., Newburyport Markets, Incorporated, Newhouse Motor Trans., Inc., Newton Centre Ice Cream Inc., Newton Fuel Company, Newton Ice Company, Newton Publishing Company, The, Nibble, Inc., Nicaragua Oil Inc., Nicholson, Ferris & Sheehy, Inc., Nickersons' Wharf Company (1860), Nickerson's Wharf Company (1870), Nip Inc., The, No-Flatz Distributing Co., Inc., The, Nobby Men's Shop, Inc., Noble's Milk, Inc., Nonantum Hotel Company, Nonantum Investment Company, Norfolk and Middlesex Turnpike Corporation, Norfolk Builders Supply Co., Inc., Norfolk Construction Company, Inc., Norma, Inc., Norris Drug Co. Inc., North American Chemical Company, North American Steamship Co., Inc., The, North Amherst Garage Co. Inc., North Attleborough Hotel Company, North Branch Turnpike Corporation, The, North Shore Automotive Marine, Inc., North Shore Holding Company, North Truro Cold Storage Co., North Union Drug Company, Northboro Holding Co., Inc., The, Northeastern Express Inc., Northeastern Fire Loss Adjusters, Inc., Northeastern Furniture Sales Corporation, Northeastern Ice Com-

pany, Northeastern Importing Co., Norwood Clothing Company, Inc., Norwood Motors Incorporated, Novelcraft Company, Novelty Manufacturing Company Incorporated, Novelty Products Company, Novelty Shoe Shops, Inc., Nowell Associates, Inc., Nu-Art Pattern Co. Inc., Nu-Tex Corporation, Numpad Incorporated, Nutter's System Incorporated.

O. P. Blomquist Co., Oak Shoe Corporation, Oak Tavern, Inc., Oakland Company, O'Brien Bros. Co., Ocean View Amusement Company, Odd Fellows Associates, Inc., O'Donnell Company, Inc., The, Old Colony and Interior Canal Company, Old Colony Coal & Wharf Co., Inc., Old Colony Finance Corporation, Old Colony Oil Company, Old Colony Silk Mills Corporation, Old King Cole, Inc., Olga Coal Corporation, Oliver Ditson Company, Inc., Olney Motors, Inc., 129 Stuart Street Inc., O'Neill Trucking Company Inc., Onota Lake Association, Inc., Orange Grove, Inc., The, Organization Service Co., Inc., Orient Garden Theatre, Inc., Oriental Buffet Lunch, Inc., Original Fence Erecting Company, The, Orthomec Incorporated, Osgood & Wendell, Inc., Oso-Clean Products Inc., Outlook Bureau, Incorporated, Ovington Company, Oxford Innersole Co. Inc.

P & Q Shop of Springfield, Mass., Inc., P & S Construction Co. Inc., P. & S. Corporation, P. H. Graham & Sons Company (Incorporated), Pacific Shoe Co. Inc., Package Paper Company, Packard Motor Car Company of Boston, Packard Paper Box Company, Packers Outlet, Inc., Paintcraft, Inc., Paisner & Batchelder, Inc., Palais Royal, Inc., Palmer Cam Engine Corporation, Palo Process Company, Palo Products Company, Palo Sales Company, Palo Verde Fruit Company, Paradise Tea Shop, Inc., Paramount Cone Company, Inc., Paramount Undergarment Co. Inc., Parfums Lionceau Inc., Pari-Mutuels Whippet Club, Inc., The, Paris Dry Cleaners, Inc., Park Edge Realty, Inc., Park Lane Grill, Inc., Park Square Lunch Inc., Parker Associates, Incorporated, Parkway Inn, Inc., Parkway Range Oil & Ice, Inc., Parrish & Kellogg Co., Inc., The, Pastime Theatre Corporation, Paul-McCourt Co. Inc., The, Paul's, Inc., Pawley Chemical Company, Inc., Payton Street Corporation, The, Peabody Motors, Inc., Pearson-Hall, Inc., Pelton Knitting Mills, Inc., Pemberton House Inn, Inc., Pepperell Card and Paper Company, The, Pequit Brook Meadows, The Proprietors of, Perfection Laundry Corporation, Perfection Process Corporation, Persons-Mayell Co., Peter F. Connolly Co., Peter Salte Stores, Inc., Petersham and Monson Turnpike Corporation, The, Peterson Tanning Company, Petri and Jones Company, Incorporated, Petrolene Company of Massachusetts, Petroleum Products Company, Inc., Philip Atwater, Inc., Philip D. Powers, Incorporated, Philip's Department Store, Inc., Philrand, Incorporated, Philwin Shoe Co., Inc., Phinney Electrical Company, Photo-Electric International Corporation, Physical Culture Bedding Company, Inc., Piccadilly Company, The, Picker Stick Corpo-

ration of America, Pickering Brothers, Inc., Pierce Jones Co., Pierce's Bakery, Inc., Pierre Cleanser Co., Inc., Pigeon Boat Company, Pigeon Cove Pier Company, Pinkham Press, Piper-Gustin Corporation, Pittsfield Mortgage Co., Inc., Pittsfield Rye Bakery, Inc., Plain Swamp Brook Meadows, Proprietors of, Pleasant Hill Bridge, Proprietors of the, Pleasant Realty Company, The, Plumbing Service Company, The, Plymouth County Kennel Club, Inc., Plymouth Marine Railway Company, Pneu Way Tools, Inc., Point Bridge Company (1832), Point Bridge Company (1847), Policyholders Analytical Service, Inc., Polish Weekly Review, Inc., Pompey Company, Inc., Pon-Wah Camps, Inc., Popoli Hardware Co., Inc., Pop's Lunch, Inc., Portalite Company, The, Porter Cheese Company, Posture Foundation, Inc., Potolski's, Inc., Potolski's Woman's Shop, Inc., Power Co., The, Pratt Motors, Inc., Preferred Baking Company, Inc., Premier Silk Mills Corporation, Premier Wood Heel Co., Prescott Power Co., Press Seal Box Company, Princess Operating Corp., Prior & Townsend, Incorporated, Priscilla Sears Confectionery Company, Probst Company Inc., The, Products Incorporated, Progress Realty Corporation, Progressive Realty Associates, Inc., Progressive Shoe Co., Inc., Pro-phy-lac-tic Brush Company, Prospect Express Company, Prospect Finance Corporation, Providence and Bristol Turnpike Corporation, Publishers, Inc., Publix Bargain Store, Inc., Pulson Oil Burner Company, Pure Ice Company, Puritan Fisheries, Inc., Puritan Petroleum Company, Pyorochrome Chemical Company, Pyramid Shoe Company, Inc.

Quimby-Blakely Co., Quincy Insurance Agency, Inc., Quincy Yellow Cab Company, Inc., Quinsigamond House, Proprietors of the.

R & E Realty Corporation, R. & G. Neckwear Company Inc., R. D. A. Realty Company, R. D. Row, Inc., R. H. Tait, Inc., R. J. St. Armand, Inc., R. K. Abbott, Inc., R. K. Realty Co., R. S. Bauer Company, The, R. W. Powers Motor Company, Radio Transportation Company, Inc., Rae Amusements Inc., Ragfair Incorporated, Raljo Laboratories, Inc., Ramey & Burno Company, Rand Sandals, Inc., Randolph Fireworks Manufacturing and Display Co. Inc., Ranlett Grocery Company, The, Rapids Furniture Company, Inc., The (1919), Rapids Warehouse, Inc., Ray Investment, Inc., Real Estate and Building Company, Reclaimed Rubber Products Co., Recreation Land Co., Inc., Red Owl Stores, Inc., The, Refiners Marketing Co., Reflectograph Corporation, The, Refrigerating Engineering Company, Inc., Refrigeration Service Co., Regal Apparel Co., Regent Theatre, Inc., Reliance Insurance Agency, Inc., Rema-dys, Inc., Retail Credit Association of Lowell, Inc., Rex Automotive Service, Inc., Richardson-Bennett Lumber Company, Richardson Piano Case Co., Richfield Oil Corporation of Massachusetts, Richman Brothers Company, The, Richman Motor Line, Inc., Rickshaw, Inc., Riel Transportation Co., River Woolen Mills, Inc., Riverdale Home

Laundry, Inc., Riverside Associates, Inc., Riverside Cooperative Association of Maynard, Robbins and Smith Inc., Robbins-Phalon Company, Robert Crocket Inc., Robert Groves Fern Co., Inc., Roberts Chemical Co., Inc., Roberts Specialty Manufacturing Company, Inc., The, Robie Automotive Engineering Corporation, Robinson Automatic Oil Burners, Inc., Rockland Wood Heel Co., Rogers-Dede Co., Roller-Bearing Screen Co. Inc., Rollins Candy Shops, Inc., Roman Gardens, Inc., Romex Laboratories, Inc., Ronald Inn, Inc., The, Rosebud Dining Room Co. Inc., Rosenberg's, Inc., Roslindale Operating Corp., Roslindale Rialto Theatre, Inc., Ross Investment Corporation, Rossmore Hotel Co. Inc., Rotor Table Amusement Corporation, Roxbury Cafeteria, Inc., The, Roy A. Means Company Incorporated, Royal Bed Spring Company, Incorporated, Royal Hat & Cap Co., Inc., Royal Lounge Company, Royal Wineries, Inc., Rudolph Wurlitzer Company of Mass., The, Ruggles Drug Co., Ruggles Park Motor Service, Inc., Ruggles White Pine Co., Inc., Rutland, Inc.

S. & W. Market, Inc., S. F. Porter Co., S. G. A. Service Company, S. G. Simons & Co. Inc., S. L. Burr Company, S. Rosenberg & Son, Inc., S. Slater & Sons, Inc., Sachs-Karon Company, Inc., Safe T Corporation, Sagamore Real Estate Trust, Inc., Salem-Akron Tire Company, Inc., Salem Sun, Inc., Sales Promoting Corporation, Inc., Salisbury Gables Development Company, Salsterol Laboratories Inc., Samson Die Company, Inc., Samuel M. Gertman, Inc., Samuel Scott, Inc., Sanborn, Inc., Sanderson Motor Sales, Inc., Sanitary Launderers, Dyers & Cleansers, Inc., The, Saraline Realty & Decorating Co. Inc., Savoy Amusement Co., Schervée Studios, Inc., Schooner America, Inc., Schooner Gertrude L. Thebaud, Incorporated, Schooner Paolina, Inc., Schooner St. Peter, Inc., Scituate Chlorinating Company, Inc., Scollay Square Lunch, Inc., The, Scott Distributing Co., Inc., Scott's Laundry Co., Seaboard Freight Lines, Inc., Seal Square Bakeries, Incorporated, Sealing Tape Corporation, Security Finance Corporation, Security Leathercraft Corporation, Selected Investments, Inc., Selective Pictures, Inc., Selectron Corporation, Seppala Granite Company, Inc., Service Station Maintenance Company, Sewall Cabot Associates, Inc., Sharon Pavilion, Inc., Shaw Motors, Inc., Sheehan Furniture Company, Inc., Sheeline Frost Company, Sheldon Co., Inc., The, Sheldon Hdwe. Co. Inc., The, Shepard Wood Heel Co., Sherrill Press Incorporated, The, Sherry's, Inc., Sherwood, Inc., Shields Patents, Incorporated, Shirley Realty Corporation, Shooshan Restaurant Co. Inc., Short Line Associates, Inc., The, Short Line, Inc. of Mass., The, Shovelton Drive-Yourself Auto Renting Station, Inc., Shu-Like Mfg. Co., Inc., Simonds File Co., Simone & Co., Inc., Slater Realty Company, Small, Denham Company, Smalley & Co., Incorporated, Smith Associates, Inc., Smith Tire Co., Inc., Snyders Wood Heel Co., Inc., Somerset Cleansers, Inc., Somerset Farms Creamery Company,

Somerset Motor Mart, Inc., Somerville Toggery Shop, Inc., The, South Station Theatre Co., South Street Greenhouses, Inc., Spalding Dry Goods Company, Speedometer Repair Co., Inc., Spencer Aircraft Engine Inc., Spencer Wire Company, Spidle, Madsen Inc., Sprague, Bates, Place Company, Spring Brook Ice Company, Springfield Air Racing Association, Inc., Springfield Auto Parts Co. Inc., Springfield Blanket Company, Inc., Springfield Electrical Specialties, Inc., Springfield Glazed Paper Company, The, Springfield Motor Lines, Inc., Springfield Promoting Company, Inc., Springfield Webbing Company, Springland Realty Corporation, Stack Construction Company, Stafford Mills, Stafford Venetian Blind Co. Inc., Stainless Products Company, Stakolite, Incorporated, Stallings' Dept. Stores, Inc., Standard Ball Player Corporation, Standard Concrete Block Company, Inc., Standard Investors Service of New England, Inc., Standard Products Corporation, Standard Weaving Co., Inc., The; Standish Clothing Co. Inc., Stanley, Harlow Chevrolet Corporation, State Amusement Company, State Garage, Incorporated, State Supply Company, Stedman Rubber Flooring Company, Steel Specialties Company, Stelbar Realty Corp., Sterling Filling Stations, Inc., Sterling, Inc., Sterling Motor Truck Sales Corp. of N. E., Sterling Printer's Supply Co., Stevens Gas and Oil Company, Stevens of Salem, Inc., Stewart and Scobbie Inc., Stimpson Paper Company, Inc., Stock and Bond Loan Corporation, Stone and Taylor, Inc., Stoneham Shoe Company, Inc., Stoner-Ames Brake Co., Inc., Stott Printing Company, Stowe and Woodward Company, Strand Theatre Co. of Quiney, Strand Theatres Corporation, Streeter & Sons Co., Stuart Radio Corporation, Student Service, Inc., Stutmark, Inc., Sudbury Arms, Inc., Suffolk Kennel Club Incorporated, Suffolk-Norfolk Realty Corporation, Sultan Linens, Inc., Summer Street Yacht Basin Inc., Sunbeam Markets, Inc., Sunny Orchard Products, Inc., Sunset Gables Corporation, Sunshine Oil Co., Super Tire-Treading Corp., Superair Conditioning Corporation, Superb Dress Corp., Superior Market, Inc., Superior Spring Company, Superior Tailoring, Cleaning and Dyeing Company, Supreme Novelty Company, Inc., Supreme Service Stores, Inc., Svenson Engineering Corp., Sweet's Drug Stores Inc., Sycamore Farm, Inc., The. T & T Dress Company, Inc., T. P. Blake & Brother, Inc. (1933), T. Shea, Incorporated, Taft Woolen Company, Tait Motor Sales, Inc., Talbot Avenue Garage Co., Talbot-Sceley Company, Tally-Ho Grill, Inc., Tanman Company, Inc., The, Tanners' Service Corporation, Tavel Dress Company, Tech. Motor Parts Company, Teel Manufacturing Company, Incorporated, Templeton Brothers Inc., Tennessee Eastern Power Company, Terminal Theatre Co., Textile Cork Roll Company, Textile Overall Corporation, Thayer, Bradley Company, The, Theatre Leaseholds, Inc., Theatre Operating Company of Springfield, Thomas F. Wilson, Inc., Thomas J. Flynn & Co., Inc., Thos. P. Nichols and Son

Company, Thorne Motors, Incorporated, Three Hundred Nine Moody Street, Inc., Tinter Shoe Co. Inc., Title Company, The, Torrey Furniture Company, Inc., Torrey-Warren Furniture Co., Tougas Inc., Tower Manufacturing Corporation (1924), Townsend Company, The, Traders Export Company, Traders, Inc., Trading Post Incorporated, The, Tremont Bakery Inc., Tremont Cafeteria, Inc., Tribuna Magri Company, Trident Silk Sponge Company, Trimount Construction Company, Trimount Oil Company, Truman G. Edwards & Son, Inc., Tubal Petroleum Company, Twentieth Century Sport Wear Company, Twenty-Four Federal Street Corporation.

U-Roll Corporation, Union Coal, Ice and Grain Company, Union Equipment Corporation, Union Fruit & Produce Co., Union Fuel Company, Union Lobster Corporation, Union Market, Inc., Union Mortgage Company, Union Parlor Furniture Corp., Union Products, Inc., Union Provision Company, Inc., United Audit Service, Inc., United Bag Company, The, United Cork Companies, United Fishing Corporation, United Plastics, Inc., United Products Company, Inc., United Sail Loft Company, United Sportwear Company, Inc., United States Luggage Corporation, United States Machine Gun Company, United States Trust Securities Corporation, Unity Loan & Finance Corp., Unity Sporting Club of Lawrence Inc., The, Universal Chemists Corp., Universal Mortgage Corp., Universal Paper Company, Incorporated, Universal Shock Absorber and Auto Sales Company, University Staff Inc., Unset Realty Co., Uphams Corner Strand Co., Uptown Shops, Inc., Uptown Theatre Lynn, Inc., Utility Duplex Motors, Inc.

Vagex Corporation, Valley Ice and Fuel Oil Co., Inc., Valley Woolen Company, Van Nostrand Brewing Company, Victor Furniture Manufacturing Corporation, Victor Hedlund Co., Inc., Village Drug Store, Inc., The, Vincenzo Del Signore, Inc., Virginia Grill Inc.

W. A. Huggins Co., W. A. Luce Corporation, W. A. Stratton, Inc., W & A Products, Inc., W. B. Russell, Inc., W. D. Earl and Company (Inc.), W E E I Broadcasting Corporation, W. F. Ayers Linen Company, W. F. Cobb & Son Co., W. G. C. Company, W. J. MacLeod & Son, Inc., W. L. Carrick & Company, Inc., W. M. Rosenfield Motor Trucking Corporation, W. N. Pike & Sons, Inc., W. W. Benjamin Co., Waldfogel-Abrams Company, Walhue, Inc., Walker's Dusting Mills Inc., Wall-Keller-McKee Co., The, Walpole Manufacturing Company, Walsh Roofing Company, Walter H. Binns Company, Inc., Walter's Industrial Bureau Inc., Waltham Operating Corp., Ward P. Roberts, Incorporated, Ward Realty Trust, Inc., Ware River Manufacturing Company, Warich Shoe Co., Inc., Watermark Paper Company Incorporated, Watuppa Amusement Co., Inc., Webb-Brook Associates, Inc., Webster Poultry & Egg Co., Webster Realty Company, Wellesley Jewelry Co., Wellesley Properties, Inc., Wellington-Wild Coal Company, Wenham

Lake-Salem Ice Company, West Boston Investments, Inc., West Cedar Farms, Inc., West End Horse Exchange, Inc., West End Kosher Wurst Company, West Side Oldsmobile Co. Inc., West Somerville Associates, Inc., West St. Garage Inc., Westfield Braiding Co., Inc., Westfield Manufacturing Company, Weymouth Realty Corporation, What's What in Boston, Incorporated, Whistle Company of New England, Inc., White, Claggett & Co., Inc., White Silver Company, Whitfield Shoe Company, Wholesale Foods, Inc., Wickwire Spencer Steel Corporation, Wilfred Roy, Inc., Willard M. Marks, Inc., William A. Patterson Co., William C. Adams Co., Wm. C. Waugh Co., Inc., William F. Berkeley Inc., William H. Claffin & Co. Incorporated, Wm. R. Cook Co., Inc., William T. Zimmer Co., Williams Book Store, Inc., Wills Sainte Claire, Inc., Winchester Institute of Finance, Inc., Winchester Street Realty Corporation, Wisly Lithograph and Printing Co. Inc., Wolf's Drug Company Inc., Wollaston Realty Co., Wolverine Oil Co., Inc., Women's Shop, Inc. of Lawrence, The, Wonder Window Company, Inc., Wonderly's, Inc., Wood Square Market, Inc., Woodcrafters Guild, Inc., Woodland Sand & Gravel Co., Woodside Village, Inc., Woodward Realty, Inc., Worcester Backing Co., Worcester Baseball Club, Inc., Worcester Brass Co., Worcester Broadcasting Co., Inc., Worcester Capitol Theatre, Inc., Worcester Distributing Co. Inc., Worcester Oil Burner Co., Inc., Worcester Riding School, Inc., Worthmore Dress Company, Worthmore Shoe Co., Inc., Wright Motor Livery, Inc.

Yarkon Corporation, The, Yeprat Grocery Company, Inc., Yuill Coal Company.

Z. D. Feinman, Inc., Zanditon Auto Sales, Inc., Zip-on Manufacturing Company.

PUBLIC SERVICE CORPORATIONS.

Boston and Chelsea Railroad Company, Boston and Revere Electric Street Railway Company.

Cambridge-port Aqueduct Corporation, Charlestown Gas and Electric Company.

Mansfield Lake Aqueduct Company, Marlborough Aqueduct Company, Mixer Brothers Company, The.

Newburyport Aqueduct Company, Nissitissit Electric Company, The, North Egremont Aqueduct Company.

Pearl Hill Water Company, Plainville Water Company (1886), Plainville Water Company (1895), Pleasant Valley Water Company, The, Plimouth Aqueduct, The Proprietors of the.

Quincy Gas Light Company (1854).

Winnisimmet Railroad Company.

CHARITABLE AND OTHER CORPORATIONS.

Anti-Communist League.

Boston Fire Department Band, Inc., Boston Terra-Novian Association.

Civic Club of Morses Pond Grove, The, Coolidge Corner Co-Operative Bank, Craigie Foundation, The.

Dudley Cooperative Bank, The.

Edward Everett Co-operative Bank, Equity Co-operative Bank, Esodia Theotokou Scalohoriton Lesvou, Inc.

Father Andrew O'Brien Memorial Association, Inc., of Hull, Fidelity Trust Company (1913), Fitchburg Railroad Relief Association, Five Aces Gun Club, Inc., Foxborough Co-operative Bank, The.

Gilders Pond Club Inc.

Hawthorne Club, Home Co-operative Bank, Hyde Park Trust Company (1916).

Independent Co-operative Bank, The, Italian Educational Civic League of Wellesley, Inc.

Jamaica Plain Trust Company (1916), Jersey Club Dairies, Inc. of Massachusetts.

Lowell Mutual Loan and Fund Association, Lynn Musical Association.

Malden Agricultural and Mechanic Association, Massachusetts Academy of Agriculture, Montello Co-operative Bank, The, Mount Pleasant Classical Institution, Proprietors of the.

Natick Cooperative Bank, New England Academy, New England Press Association, New Meeting House, in Dedham, Proprietors of the, North Adams Lyceum, North Attleboro' Odd Fellows Hall Association, North Bridgewater Loan and Fund Association, North Shore Electrical Employees' Union, Inc., Nunkatesett Canoe Club.

Oread Institute, Oxford Ministerial Association.

Parsonage in the First Parish in Amherst, Proprietors of the, Peoples Accident Association of Springfield, Massachusetts, People's Perpetual Loan and Fund Association, Plymouth Loan and Fund Association, Putnam Hall Association in Cambridge.

Quincy Board of Trade (1896).

Randolph Athletic Association, The, Reserve Officers 1936 Convention Corporation.

Saint Eulalia's School Corporation.

Union Co-operative Bank.

Waltham Co-operative Bank, Watatic Club, Wellesley Italian Civic League, West Somerville Co-operative Bank, Whitman Co-operative Bank, The, Winthrop Young Men's Hebrew Association Inc., Wolfeboro Charitable Fund Inc., Worcester Co-operative Bank.

Young Men's Hebrew Association of Salem, (Mass.).

SECTION 2. Nothing in this act shall be construed to affect any suit now pending by or against any corporation

mentioned herein, or any suit now pending or hereafter brought for any liability now existing against the stockholders or officers of any such corporation, or to revive any charter previously annulled or any corporation previously dissolved, or to make valid any defective organization of any of the supposed corporations mentioned herein.

SECTION 3. Suits upon choses in action arising out of contracts sold or assigned by any corporation dissolved by this act may be brought or prosecuted in the name of the purchaser or assignee. The fact of sale or assignment and of purchase by the plaintiff shall be set forth in the writ or other process; and the defendant may avail himself of any matter of defence of which he might have availed himself in a suit upon a claim by the corporation, had it not been dissolved by this act.

SECTION 4. Nothing in this act shall be construed to relieve the last person who was the treasurer or assistant treasurer, or, in their absence or incapacity, who was any other principal officer of each of the corporations named in this act, from the obligation to make a tax return in the year nineteen hundred and thirty-eight as required by chapter sixty-three of the General Laws. The tax liability of each of the corporations named in this act shall be determined in accordance with the existing laws of this commonwealth.

Approved April 29, 1937.

AN ACT RELATIVE TO THE MAKING BY BANKING INSTITUTIONS AND INSURANCE COMPANIES OF LOANS INSURED BY THE FEDERAL HOUSING ADMINISTRATOR. *Chap. 240*

Whereas, The deferred operation of this act would in part defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

Chapter one hundred and sixty-two of the acts of nineteen hundred and thirty-five is hereby amended by striking out section one and inserting in place thereof the following: — *Section 1.* Subject to such regulations as the commissioner of banks deems to be necessary or advisable in respect to trust companies, savings banks, co-operative banks or credit unions, and to such regulations as the commissioner of insurance deems to be necessary or advisable in respect to insurance companies, any trust company, savings bank, co-operative bank, credit union or insurance company doing business in this commonwealth is authorized for a period ending July first, nineteen hundred and thirty-nine:

(a) To make such loans and advances of credit and purchases of obligations representing loans and advances of credit as are insured by the federal housing administrator, and to obtain such insurance.

(b) To make such loans secured by mortgages on real property in this commonwealth as the federal housing administrator insures and to obtain such insurance.

(c) All trust companies, savings banks, co-operative banks, credit unions and insurance companies are hereby authorized to exercise any powers and to do any and all things incidental or necessary to give effect to this act.

Approved April 29, 1937.

Chap. 241 AN ACT AUTHORIZING THE CITY OF SALEM TO ACQUIRE CERTAIN LAND FOR A MEMORIAL TO THE SAILORS OF SALEM.

Be it enacted, etc., as follows:

SECTION 1. The city of Salem is hereby authorized to take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, the land in said city known as Derby Wharf, and certain other land in the neighborhood of said Derby Wharf, all located in said city, as indicated on the plat accepted by the national park service of the United States department of the interior and by the mayor of said city, for the purpose of constituting a memorial to the sailors of Salem.

SECTION 2. Said city is further authorized to borrow for the purpose of section one from time to time within a period of five years from the passage of this act sums not exceeding, in the aggregate, ninety-five thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Derby Wharf Memorial Loan, Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than five years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit and shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 3. Said city is further authorized to convey said land to the United States of America without monetary consideration, to be laid out or restored and preserved by said United States as a national historic monument under authority of an act of Congress known as Public-Number two hundred and ninety-two, Seventy-Fourth Congress, approved August twenty-first, nineteen hundred and thirty-five; said historic monument to be a marine park which will be educational and recreational and conducted for the benefit of the public.

SECTION 4. Chapter three hundred and sixty-five of the acts of nineteen hundred and thirty-six is hereby amended by striking out in the third line the words "and restoration".

SECTION 5. This act shall take effect upon its passage.

Approved April 29, 1937.

AN ACT AUTHORIZING THE TOWN OF NANTUCKET TO PAY AN ANNUITY TO THE WIDOW OF SAMUEL T. BURGESS. *Chap.242*

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Nantucket may pay an annuity of not exceeding five hundred dollars to Wilberta Burgess, widow of Samuel T. Burgess, who died in the year nineteen hundred and twenty-five as the result of a hazard undergone in the performance of his duty as a member of the police department of said town, said annuity to be payable, in equal monthly installments, beginning as of January first in the current year, for and during the term of the natural life of said widow.

SECTION 2. This act shall take effect upon its passage.

Approved April 29, 1937.

AN ACT ABOLISHING THE OPEN SEASON ON DEER IN NORFOLK COUNTY. *Chap.243*

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and nine of chapter one hundred and thirty-one of the General Laws, as most recently amended by section one of chapter eighty-nine of the acts of the current year, is hereby further amended by inserting after the word "Dukes" in the fifth line the words: — and Norfolk, — so as to read as follows: — *Section 109.* Subject to the restrictions and provisions hereinafter contained, any person duly authorized to hunt in the commonwealth may hunt a deer, by the use of a shotgun or bow and arrow, in all counties except Dukes and Norfolk, between one half hour before sunrise and one half hour after sunset of each day beginning with the first Monday in December and ending with the following Saturday, and in any or all of the counties of Berkshire, Franklin, Hampden and Hampshire, if the additional hunting period hereinafter specified is authorized in such county or counties by the director, as evidenced by an order filed in his office and advertised in a newspaper or newspapers published in such county or counties not less than ten days prior to the first Monday in December, between one half hour before sunrise and one half hour after sunset of each day, beginning with the second Monday in December and ending with the following Saturday. No person shall, except as provided in the preceding section, kill more than one deer. No deer shall be hunted on land posted in accordance with section one hundred and twenty-three, or on land under control of the metropolitan district commission, or within the boundaries of any public lands subject to section one hundred and fourteen. No person shall make, set or use any trap, torch light or jack light, salt lick or other device for the purpose of ensnaring, enticing, taking, injuring or killing a deer. No

G. L. (Ter. Ed.), 131, § 109, etc., amended.

Open season for deer.

person shall use or carry on his person an arrow adapted for hunting purposes unless it is plainly marked with his name and permanent address. Whoever wounds or kills a deer shall, within forty-eight hours thereafter, send to the director a written report, signed by him, of the facts relative to the wounding or killing. This section shall not authorize the hunting of deer in any state forest reservation or any state park or reservation under the control of the division of parks of the department; but the hunting of deer in any such reservation or park shall be authorized during the whole or any part of the open season for deer provided by this section, if and as permitted by regulations made by the commissioner. Whoever violates any provision of this section shall be punished by a fine of not less than fifty nor more than one hundred dollars.

Penalty.

G. L. (Ter. Ed.), 131, § 112, etc., amended.

Hunting birds or mammals, regulated.

SECTION 2. Section one hundred and twelve of said chapter one hundred and thirty-one, as most recently amended by section two of chapter one hundred and thirty-eight of the acts of nineteen hundred and thirty-six, is hereby further amended by inserting after the word "Dukes" in the second line the words:— and Norfolk,— so as to read as follows:— *Section 112.* No person shall in any county except Dukes and Norfolk between one half hour before sunrise on the first Monday in December and one half hour after sunset on the following Saturday, or, in Berkshire, Franklin, Hampshire or Hampden county, between one half hour before sunrise on the second Monday in December and one half hour after sunset on the following Saturday, if such additional period for hunting deer is authorized in such county under section one hundred and nine, hunt a bird or mammal with a rifle, revolver or pistol or by the aid of a dog, or have in his possession, or under his control, in any wood or field, a rifle, revolver or pistol, or a dog adapted to the hunting or pursuing of birds or mammals, or, while in pursuit of birds or mammals, have in his possession, or under his control, on any highway, any such firearm or dog.

Approved April 29, 1937.

Chap. 244 AN ACT TO AUTHORIZE THE PLACING OF THE OFFICE OF CHIEF OF THE FIRE DEPARTMENT OF THE TOWN OF PLYMOUTH UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The office of chief of the fire department of the town of Plymouth shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations relating to permanent members of fire departments in towns, and the tenure of office of any incumbent of said office shall be unlimited, subject, however, to such laws, but the present incumbent of said office may continue to serve therein without taking a civil service examination.

SECTION 2. This act shall be submitted to the voters of said town at the annual town meeting in the year nineteen

hundred and thirty-eight in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: "Shall an act passed by the General Court in the year nineteen hundred and thirty-seven entitled 'An Act to authorize the placing of the Office of Chief of the Fire Department of the Town of Plymouth under the Civil Service Laws', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved April 29, 1937.

AN ACT RELATIVE TO THE VALIDITY OF CONDITIONAL SALES OF CERTAIN PERSONAL PROPERTY USED IN CONNECTION WITH REAL ESTATE AS AGAINST MORTGAGEES, PURCHASERS OR GRANTEEES OF SUCH REAL ESTATE.

Chap. 245

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and eighty-four of the General Laws is hereby amended by striking out section thirteen, as amended by chapter one hundred and twelve of the acts of the current year, and inserting in place thereof the following: — *Section 13.* No conditional sale of heating apparatus, plumbing goods, ranges, buildings of wood or metal construction of the class commonly known as portable or sectional buildings, elevator apparatus or machinery, or other articles of personal property, which are afterward wrought into or attached to real estate, whether they are fixtures at common law or not, shall be valid as against any mortgagee, purchaser or grantee of such real estate, unless not later than ten days after the delivery thereon of such personal property a notice such as is herein prescribed is recorded in the registry of deeds for the county or district where the real estate lies. The notice shall be signed by the vendor or a person claiming under him and shall contain the names of the contracting parties, the name of the record owner of the real estate at the time of recording the notice, the fact that it is agreed that title to such personal property shall remain in the vendor until the purchase price is paid, the terms of payment, including the date on which the final payment will become due, and the amount of such purchase price remaining unpaid, and descriptions, sufficiently accurate for identification, of such real estate and the personal property delivered or to be delivered thereon. If the sale is of several articles for a lump sum greater than the value of the personal property delivered or to be delivered on the real estate, the notice shall also state such lump sum and such value.

G. L. (Ter. Ed.), 184, § 13, etc., amended.

Conditional sales of fixtures, etc., notice, contents, recording.

No conditional sale of which notice is recorded under this section shall be valid as against any mortgagee, purchaser or grantee of such real estate for more than ninety days after the date on which the final payment will become due as set forth in said notice, unless the vendor or some

person claiming under him shall, within said ninety day period, cause to be recorded in the registry of deeds for the county or district where the real estate lies a statement signed and sworn to by him or by some person in his behalf, giving a just and true account of the amount due him, with all just credits, the names of the contracting parties, and the name of the record owner of the real estate as given in said notice.

Both the original notice and any subsequent statement of account hereinbefore provided for shall be indexed in the registry of deeds under the name of the record owner of such real estate as appearing in said notice, and a release of title in any such article of personal property may be recorded at any time.

Effective
date.

SECTION 2. This act shall apply only in case of conditional sales made on or after September first in the current year.

Approved April 29, 1937.

Chap. 246 AN ACT IMPOSING UPON CERTAIN PRIVATE CORPORATIONS A PROPORTIONATE SHARE OF THE COST OF PURIFICATION PLANTS AND OF THE EXPENSES OF MAINTENANCE THEREOF.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 130,
§§ 77, 78 and
79, etc.,
amended.

Department
of public
health to deter-
mine sources
of pollution.

Chapter one hundred and thirty of the General Laws is hereby amended by striking out sections seventy-seven, seventy-eight and seventy-nine, as appearing in section two of chapter three hundred and twenty-nine of the acts of nineteen hundred and thirty-three, and inserting in place thereof the following: — *Section 77.* Upon receipt of the request provided for by the preceding section, the department of public health shall, as soon as may be and in such manner as it may deem proper, determine the sources of pollution of the contaminated area or areas referred to therein, and the proportions in which cities and towns within the commonwealth are causing or contributing to the cause of such pollution; provided, that if in any city or town as to which any such proportion is so determined there is a private corporation organized for the purpose of owning and maintaining for profit a system of sewage disposal, said department shall likewise determine whether or not said private corporation is causing or contributing to the cause of the pollution ascribed by the department to such city or town and, if so, in what proportion. Said department shall forthwith report such determination to the commissioner of conservation, who shall thereupon make application to the supreme judicial court for the relief provided for in the following section.

Determina-
tion of cost
of purifica-
tion plants.

Section 78. The supreme judicial court, on application under the preceding section and after notice to each of the cities and towns, and private corporations organized for the purpose of owning and maintaining for profit systems of sewage disposal, named in the report of the department of public health as causing or contributing to the contamina-

tion of the area or areas in question, shall appoint three commissioners, herein and in the following section referred to as apportionment commissioners, who shall not be residents of any of said cities or towns. Such commissioners shall, after due notice and hearing, and in such manner as they shall deem just and equitable, determine the proportion which each of said cities and towns, and private corporations organized for the purpose of owning and maintaining for profit systems of sewage disposal, shall bear of the cost of such purification plant as is prescribed or approved under section seventy-six, the compensation and expenses of the apportionment commissioners, and the expenses of maintaining such plant thereafter, and shall report their findings to said court as soon as may be. When said report shall have been accepted by the court it shall be conclusive as to all matters referred to said commissioners and shall be binding upon all parties, who shall thereupon pay the costs in accordance with the order of the court. The court shall have jurisdiction in equity to enforce sections seventy-five to eighty, inclusive, and shall fix and determine the compensation of said apportionment commissioners and shall allow such expenses incurred by them in carrying out the provisions of said sections as it shall approve.

Section 79. After the completion of the construction of a purification plant prescribed by the supervisor with the approval of the commissioner of public health under section seventy-six, or after their approval of such an existing plant, the same shall be maintained by the city or town in which it is located until such time as the supervisor may determine that the shellfish in the area or areas served by it are not of sufficient commercial value to warrant its continuance. On or before January fifteenth of each year such city or town shall submit to the supervisor an itemized statement certified by its treasurer, showing all sums expended by it during the preceding year on account of any such plant. The supervisor shall approve such sums as he finds to be correct and proper charges. Such proportions of the total amount thereof as have been determined by the apportionment commissioners to be allocable to cities and towns, and private corporations organized for the purpose of owning and maintaining for profit systems of sewage disposal, he shall apportion thereto in the proportions fixed by said apportionment commissioners in their report, as accepted by the supreme judicial court, and shall forthwith notify each such city or town, or private corporation organized for the purpose of owning and maintaining for profit a system of sewage disposal, of the amounts so apportioned, which shall thereupon be due and payable to the city or town in which said plant is located. Should such last mentioned city or town fail to maintain such purification plant in good condition, or to operate the same, the supreme judicial court shall have jurisdiction, upon application of ten registered voters in any one or more of the

Maintenance
of plants.

cities and towns contributing to the expense of such plant, to compel it to put the plant in good condition and to operate the same.

Approved April 29, 1937.

Chap.247 AN ACT ENTITLING BLIND PERSONS TO BE ACCOMPANIED BY "SEEING EYE" DOGS, SO CALLED, ON COMMON CARRIERS WITHIN THE COMMONWEALTH, WITHOUT ADDITIONAL COST.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 159, § 15, amended.

Common carriers to allow blind persons to be accompanied by dogs.

Section fifteen of chapter one hundred and fifty-nine of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following new paragraph:—

Notwithstanding the foregoing provisions of this section or any other provision of law, any blind person while a passenger for hire on any common carrier within the commonwealth shall be entitled to be accompanied by a properly muzzled "seeing eye" dog, so called, except in railroad sleeping, parlor, club, buffet or lounge cars, and such person shall not be required to pay any charge or fare for or on account of the transportation thereon of himself and any such dog so accompanying him in addition to the charge or fare lawfully chargeable for his own transportation.

Approved April 29, 1937.

Chap.248 AN ACT RELATIVE TO ELIMINATION OF SO CALLED DOUBLE LIABILITY OF STOCKHOLDERS OF TRUST COMPANIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 172, § 24, etc., amended.

Liability of stockholders of trust companies.

Section twenty-four of chapter one hundred and seventy-two of the General Laws, as amended by section fourteen of chapter three hundred and forty-nine of the acts of nineteen hundred and thirty-four, is hereby further amended by adding at the end the following two new paragraphs:—

Except as otherwise provided in the following paragraph, the liability imposed by this section shall cease on July first, nineteen hundred and thirty-eight, with respect to all shares issued by any such corporation which shall be transacting business on July first, nineteen hundred and thirty-eight; provided, that not less than six months prior to such date such corporation shall have caused notice of such prospective termination of liability to be published in a newspaper published in the city or town where such corporation has its main office and in each city and town where the corporation has a branch office. If such corporation fails to give such notice as and when above provided, a termination of such liability may thereafter be accomplished as of the date six months subsequent to publication, in the manner above provided.

Nothing herein shall terminate the liability imposed by this section for any contract, debt or engagement entered into or incurred by any such corporation prior to the ter-

mination date under any provision of the preceding paragraph, if, prior to such date, the other party thereto either has begun legal proceedings to enforce such contract, debt or engagement or had no legal right to demand performance or payment thereof.

Approved April 29, 1937.

AN ACT RELATIVE TO THE MAKING OF RULES AND REGULATIONS BY THE DEPARTMENT OF LABOR AND INDUSTRIES FOR THE PREVENTION OF ACCIDENTS AND INDUSTRIAL OR OCCUPATIONAL DISEASES.

Chap. 249

Be it enacted, etc., as follows:

Section six of chapter one hundred and forty-nine of the General Laws, as amended by section one of chapter one hundred and thirty-two of the acts of nineteen hundred and thirty-four, is hereby further amended by striking out, in the eleventh and twelfth lines, the words "applicable to either employers or employees or both", — so as to read as follows: — *Section 6.* It shall investigate from time to time employments and places of employment, and determine what suitable safety devices or other reasonable means or requirements for the prevention of accidents shall be adopted or followed in any or all such employments or places of employment; and also shall determine what suitable devices or other reasonable means or requirements for the prevention of industrial or occupational diseases shall be adopted or followed in any or all such employments or places of employment; and shall make reasonable rules, regulations and orders for the prevention of accidents and the prevention of industrial or occupational diseases, and rules and regulations pertaining to structural painting made hereunder may provide for the payment of reasonable fees.

G. L. (Ter. Ed.), 149, § 6, etc., amended.

Investigations as to safety and health.

Rules, etc.

Approved April 29, 1937.

AN ACT FURTHER REGULATING THE PENALTY FOR UNLAWFULLY CARRYING CERTAIN DANGEROUS WEAPONS.

Chap. 250

Be it enacted, etc., as follows:

SECTION 1. Section ten of chapter two hundred and sixty-nine of the General Laws, as most recently amended by section one of chapter two hundred and twenty-seven of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out, in the fourteenth to the eighteenth lines, inclusive, the words "ten years in the state prison or for not more than two and one half years in a jail or house of correction except that, if the court finds that the defendant has not been previously convicted of a felony, he may be punished by a fine of not more than fifty dollars" and inserting in place thereof the following: — five years in the state prison or for not less than six months nor more than two and one half years in a jail or house of correction except that, if the court finds that the defendant has not

G. L. (Ter. Ed.), 269, § 10, etc., amended.

Penalty for
unlawfully
carrying
dangerous
weapons.

been previously convicted of a felony, he may be punished by a fine of not more than fifty dollars or by imprisonment for not more than two and one half years in a jail or house of correction, — so as to read as follows:— *Section 10.* Whoever, except as provided by law, carries on his person, or carries on his person or under his control in a vehicle, a pistol or revolver, loaded or unloaded, without permission under section one hundred and thirty-one of chapter one hundred and forty, or whoever so carries any stiletto, dagger, dirk knife, slung shot, metallic knuckles or sawed off shotgun, or whoever, when arrested upon a warrant for an alleged crime or when arrested while committing a crime or a breach or disturbance of the public peace, is armed with, or has on his person, or has on his person or under his control in a vehicle, a billy or dangerous weapon other than those herein mentioned, shall be punished by imprisonment for not less than two and one half years nor more than five years in the state prison or for not less than six months nor more than two and one half years in a jail or house of correction except that, if the court finds that the defendant has not been previously convicted of a felony, he may be punished by a fine of not more than fifty dollars or by imprisonment for not more than two and one half years in a jail or house of correction, or whoever, except as provided by law, possesses a machine gun as defined in section one hundred and twenty-one of chapter one hundred and forty, without permission under said section one hundred and thirty-one shall be punished by imprisonment in the state prison for life or for any term of years, and upon conviction the pistol or other article shall be confiscated by the commonwealth. The pistol or article so confiscated shall, by the authority of the written order of the court or trial justice, be forwarded by common carrier to the commissioner of public safety, who, upon receipt of the same, shall notify said court or justice thereof. Said commissioner may sell or destroy the same, and, in case of a sale, after paying the cost of forwarding the article, shall pay over the net proceeds to the commonwealth.

Effective
date.

SECTION 2. This act shall take effect on September first in the current year and shall apply in case of crimes committed on or after said date. Notwithstanding the provisions of this act, the provisions of said section ten as in effect immediately preceding the said date shall continue to apply in the case of crimes committed prior thereto.

Approved April 29, 1937.

Chap.251 AN ACT REGULATING THE IMPOSITION OF COSTS IN CERTAIN CRIMINAL PROCEEDINGS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 280,
§ 6, amended.

SECTION 1. Chapter two hundred and eighty of the General Laws is hereby amended by striking out section six, as appearing in the Tercentenary Edition, and insert-

ing in place thereof the following:— *Section 6.* Costs shall not be imposed by the court or justice as a penalty or part penalty for a crime; provided, that the court or justice may, as a condition of the dismissal or filing of a complaint or indictment, or as a term of probation, order the defendant to pay the reasonable and actual expenses of the prosecution, as determined by it or him.

Expenses of prosecution.

SECTION 2. This act shall take effect on September first in the current year.

Approved April 29, 1937.

Effective date.

AN ACT AUTHORIZING THE USE OF FACSIMILE SIGNATURES OF THE GOVERNOR ON CERTAIN BONDS AND NOTES OF THE COMMONWEALTH.

Chap. 252

Be it enacted, etc., as follows:

Chapter twenty-nine of the General Laws is hereby amended by inserting after section forty-eight, as appearing in the Tercentenary Edition, the following new section:— *Section 48A.* Facsimiles of the signature of the governor on original issues or transfers of bonds or notes of the commonwealth shall have the same validity and effect as his written signature.

G. L. (Ter. Ed.), 29, new section 48A, added.

Facsimile signatures.

Approved April 29, 1937.

AN ACT FURTHER REGULATING THE PRACTICE OF DENTISTS, DENTAL HYGIENISTS AND OTHER PERSONS PRACTICING DENTISTRY.

Chap. 253

Be it enacted, etc., as follows:

Chapter one hundred and twelve of the General Laws is hereby amended by striking out section fifty-two A, inserted by chapter two hundred and eighty-one of the acts of nineteen hundred and thirty-four, and inserting in place thereof the following:— *Section 52A.* No registered dentist, person practicing dentistry or dental hygienist shall include, or permit or cause to be included, in any newspaper, radio, display sign, personal solicitation or other manner of advertising, any written or spoken words or statements of a character tending to deceive or mislead the public, or claiming professional superiority or the performance of professional services in a superior manner, or the performance of painless operations of a dental or oral surgical nature, or tending to solicit patronage for his business, services, advice or products, or advertising fixed prices for professional services or materials or the use of any drug, nostrum, patent or proprietary medicine of an unknown formula, or advertising to use any system of anaesthetics without truly and accurately naming the same or to use any such system unless such system is in fact used, or shall advertise with signs or printed advertisements, or by means of show cases, containing the representation of a tooth, teeth, dental restoration of any kind or of whatsoever design or description or any portion of the human head or neck or photograph of

G. L. (Ter. Ed.), 112, § 52A, etc., amended.

Advertising by dentists, etc., regulated.

any person, or shall make or set forth any promises, guarantees, offers, inducements, representations, statements or rewards of a character tending to influence, persuade or induce persons to seek, employ or patronize his business, service, advice or products; provided, that, notwithstanding the foregoing, a person subject to this section may (1) use and distribute personal professional cards setting forth his name, title, address or addresses, telephone number or numbers and office hours, and, if he limits his practice to a specialty, containing a statement of such specialty; (2) use and distribute personal professional cards or other notices announcing his change of place of business, or his entrance into, absence from or return to business; (3) issue personal appointment cards to his patients, stating thereon the time and place of appointment and containing any statements hereinbefore authorized to be set forth in his personal professional cards; (4) display his name and any such authorized statements, by means of a sign or signs at his residence or place of business, or both, or upon the windows thereof, or upon a door plate or in a building directory, so called, thereat; and (5) insert his name and any such authorized statements in the public print, in the form of advertisements or notices not more than one column in width nor more than two inches in depth.

Approved April 29, 1937.

Chap. 254 AN ACT AUTHORIZING THE CITY OF WORCESTER TO TEMPORARILY REINSTATE TIMOTHY H. MURPHY AS AN EMPLOYEE FOR THE SOLE PURPOSE OF BEING RETIRED.

Be it enacted, etc., as follows:

SECTION 1. Timothy H. Murphy, a veteran of the world war, who was employed for more than ten years as a laborer in the street department and other departments of the city of Worcester, and who became separated from the classified civil service on or about October nineteenth, nineteen hundred and twenty-nine, by reason of inability to work on account of sickness arising out of and in the course of his employment, may be reinstated by said city in its street department without further examination, but for the sole purpose of being retired under the provisions of section fifty-seven or any other pertinent provision of chapter thirty-two of the General Laws. Upon his retirement as aforesaid there shall be paid to him a pension at a rate equal to one half the rate of annual compensation received by him at the time of his separation from the classified civil service.

SECTION 2. This act shall take full effect upon its acceptance during the current year by vote of the city council, subject to the provisions of its charter, but not otherwise.

Approved May 3, 1937.

AN ACT RELATIVE TO THE PROVIDING BY CITIES AND TOWNS
OF HEADQUARTERS FOR LOCAL POSTS OF INCORPORATED
WAR VETERANS' ORGANIZATIONS. *Chap.255*

Be it enacted, etc., as follows:

Section nine of chapter forty of the General Laws, as most recently amended by chapter two hundred and seventy-one of the acts of nineteen hundred and thirty-six, is hereby further amended by adding at the end the following new paragraph: —

G. L. (Ter. Ed.), 40, § 9, etc., amended.

A city or town may also, within the limitation applicable to such city or town for such purpose, appropriate money for the purpose of providing suitable headquarters for a post or posts of any incorporated organization of veterans who served in the military or naval service of the United States in time of war or insurrection, in addition to those above specified, if a petition requesting such an appropriation for such an organization designated in the petition, signed by not less than five per cent of the voters of such city or town, is filed with the city or town clerk thereof.

Quarters for posts of certain war veterans.

Approved May 4, 1937.

AN ACT AUTHORIZING THE CONVEYANCE BY THE CITY OF
CHELSEA TO THE COMMONWEALTH, AND THE ACCEPTANCE
BY THE ARMORY COMMISSIONERS, FOR ARMORY PURPOSES,
OF CERTAIN LAND IN SAID CITY. *Chap.256*

Be it enacted, etc., as follows:

The city of Chelsea, acting by its mayor and board of aldermen, may convey to the commonwealth, for armory purposes, a certain parcel of land adjoining property now being used for armory purposes, measuring approximately one hundred and seventy feet by twenty feet, and extending from Armory street to St. Rose Roman Catholic Church property, so called, in said city. The armory commissioners are hereby authorized to accept such land in the name and behalf of the commonwealth.

Approved May 4, 1937.

AN ACT EXTENDING THE EQUITY JURISDICTION OF PROBATE
COURTS TO PROVIDE FOR THE ISSUANCE IN CERTAIN IN-
STANCES OF TEMPORARY INJUNCTIONS TO RESTRAIN THE
FORECLOSURE OF MORTGAGES WHICH HINDER THE PROPER
ADMINISTRATION OF ESTATES OR CERTAIN TRUSTS. *Chap.257*

Be it enacted, etc., as follows:

Chapter two hundred and fifteen of the General Laws is hereby amended by striking out section six, as amended by section one of chapter two hundred and thirty-seven of the acts of nineteen hundred and thirty-three, and inserting in place thereof the following: — *Section 6.* Probate courts

G. L. (Ter. Ed.), 215, § 6, etc., amended.

Equity jurisdiction.

shall have jurisdiction in equity, concurrent with the supreme judicial and superior courts, of all cases and matters relative to the administration of the estates of deceased persons, to wills, including questions arising under section twenty of chapter one hundred and ninety-one, to trusts created by will or other written instrument and, in cases involving in any way the estate of a deceased person or the property of an absentee whereof a receiver has been appointed under chapter two hundred or the property of a person under guardianship or conservatorship, to trusts created by parol or constructive or resulting trusts, of all matters relative to guardianship and conservatorship and of all other matters of which they now have or may hereafter be given jurisdiction. They shall also have jurisdiction in equity to enforce foreign judgments for support of a wife or of a wife and minor children against a husband who is a resident or inhabitant of this commonwealth, upon petition of the wife filed in the county of which the husband is a resident or inhabitant. They shall also have jurisdiction in equity, upon petition of an administrator, executor, guardian, conservator, receiver appointed as aforesaid or trustee under a will to enjoin for a reasonable period of time the foreclosure, otherwise than by open and peaceable entry, of a mortgage on real estate, or the foreclosure of a mortgage on personal property, which real estate or personal property is included in the estate or trust being administered by such fiduciary, if in the opinion of the court the proper administration of the estate or the trust would be hindered by such foreclosure. Jurisdiction under this section may be exercised upon petition, according to the usual procedure in probate courts.

Approved May 4, 1937.

Chap. 258 AN ACT AUTHORIZING THE TRANSFER OF CERTAIN PARK LAND
IN THE CITY OF BOSTON TO THE TRUSTEES UNDER THE WILL
OF GEORGE ROBERT WHITE.

Be it enacted, etc., as follows:

SECTION 1. The park department of the city of Boston is hereby authorized to transfer to the care, custody and control of the trustees under the fourteenth clause of the will of George Robert White the following parcel of land situate in that part of Boston known as the Back Bay Fens, bounded and described as follows:— westerly by Charlesgate west, eighty-five feet more or less; northerly by a portion of Commonwealth avenue, three hundred ten feet more or less; easterly by Charlesgate east, ninety-eight feet more or less; and southerly by a portion of Commonwealth avenue, three hundred ten feet more or less, or any other parcel of land now under the control of said department, heretofore taken for park purposes and situate in said part of Boston, for the purpose of erecting thereon, in accordance with plans approved by said department, an esplanade and colonnade, upon the express condition, however, that upon the com-

pletion of said esplanade and colonnade the care, custody and control of such parcel of land, together with the esplanade and colonnade, shall revert without further act to the care, custody and control of the park department of the city of Boston, to be held by said department in accordance with the provisions of the will of said George Robert White. Said transfer shall also be upon the further express condition that if, within two years from the date of such transfer, such esplanade and colonnade shall not have been constructed upon such parcel, then such parcel shall thereupon revert without further act to the care, custody and control of said department.

SECTION 2. This act shall take effect upon its passage.

Approved May 4, 1937.

AN ACT RELATIVE TO THE CONTROL OF ELL POND IN THE CITY *Chap.259*
OF MELROSE.

Be it enacted, etc., as follows:

Chapter eighty-two of the acts of nineteen hundred and twenty is hereby amended by striking out sections two and three and inserting in place thereof the four following new sections:— *Section 2.* The park commissioners of the city of Melrose are hereby authorized to make rules and regulations governing fishing, boating, bathing, skating and other recreational activities on or in Ell pond in said city. Such rules and regulations relative to fishing shall be subject to the approval of the division of fisheries and game of the department of conservation and such other rules and regulations made under this section shall be subject to the approval of the state department of public works, and, in either case, when so approved shall have the force of law.

Section 3. Any police officer of said city may patrol any part of the waters of said pond and shall have authority to arrest any person violating any law of the commonwealth in, on or adjacent to the waters of said pond or violating any rule or regulation established under this act.

Section 4. Violation of any rule or regulation established under this act shall be punished by a fine of not more than fifty dollars.

Section 5. Nothing in this act shall be construed to abridge the powers and duties of said department of public works under chapter ninety-one of the General Laws.

Approved May 4, 1937.

AN ACT PROVIDING FOR THE ISSUANCE OF INSURANCE *Chap.260*
BROKERS' LICENSES WITHOUT FEE TO WIDOWS OF CERTAIN
WAR VETERANS.

Be it enacted, etc., as follows:

Section one hundred and sixty-seven A of chapter one hundred and seventy-five of the General Laws, as amended by section three of chapter one hundred and thirty-seven

G. L. (Ter.
Ed.), 175,
§ 167A, etc.,
amended.

Veterans,
etc., exempt
from payment
of certain
fees.

of the acts of nineteen hundred and thirty-four, is hereby further amended by adding at the end the following: — , or of or on account of his widow if he held such a license immediately prior to his death, — so as to read as follows:— *Section 167A.* No fee for an insurance broker's license issued under section one hundred and sixty-six, one hundred and sixty-seven or one hundred and seventy-three shall be required of or on account of any soldier, sailor or marine resident in this commonwealth who has served in the army or navy of the United States in time of war or insurrection and received an honorable discharge therefrom or release from active duty therein, if he presents to the commissioner satisfactory evidence of his identity, or of or on account of his widow if he held such a license immediately prior to his death.

Approved May 4, 1937.

Chap.261 AN ACT RELATIVE TO THE COVERAGE OF POLICIES OF PLATE GLASS INSURANCE, SO CALLED.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 175,
§ 47, amended.

Clause Seventh of section forty-seven of chapter one hundred and seventy-five of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "insure" in the first line the following words: — against loss of and damage to glass, including lettering and ornamentation thereon, and, — so as to read as follows: —

Plate glass
insurance.

Seventh, To insure against loss of and damage to glass, including lettering and ornamentation thereon, and against loss or damage caused by the breakage of glass.

Approved May 4, 1937.

Chap.262 AN ACT TO AUTHORIZE THE PLACING OF THE OFFICE OF CHIEF OF THE FIRE DEPARTMENT OF THE CITY OF CAMBRIDGE UNDER THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The office of chief of the fire department of the city of Cambridge shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations relating to permanent members of fire departments of cities, and the tenure of office of any incumbent of such office shall be unlimited, subject, however, to such laws; but the person holding said office on said effective date may continue to serve as such without taking a civil service examination.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the city of Cambridge at its biennial city election in the current year in the form of the following question, which shall be placed upon the official ballot to be used at said election: — "Shall an act of the General Court passed in the current year, entitled 'An Act

to authorize the placing of the Office of Chief of the Fire Department of the City of Cambridge under the Civil Service Laws', be accepted?" If a majority of the voters voting upon said question vote in the affirmative, section one shall thereupon take full effect, but not otherwise.

Approved May 4, 1937.

AN ACT VALIDATING THE CONVEYANCE BY THE TOWN OF WEBSTER OF CERTAIN PARK LAND LOCATED IN SAID TOWN. Chap.263

Be it enacted, etc., as follows:

SECTION 1. The action of the town of Webster whereby it conveyed to S. Slater & Sons, Incorporated, by deed dated June twenty-second, nineteen hundred and twenty-three, and recorded in Worcester District Deeds, Book twenty-two hundred and ninety-six, page one hundred and forty-six, the land located on the south side of East Main street in said town, known as Morris Hunt Slater Park, and acquired by said town for park purposes, is hereby validated and confirmed in so far as such action may be invalid by reason of lack of legislative authority to convey such park land.

SECTION 2. This act shall take effect upon its passage.

Approved May 5, 1937.

AN ACT REQUIRING THE LABELLING OF TAPS USED FOR THE SALE OF MALT BEVERAGES ON DRAUGHT. Chap.264

Be it enacted, etc., as follows:

Section twelve of chapter one hundred and thirty-eight of the General Laws, as amended, is hereby further amended by adding at the end the following new paragraph: —

G. L. (Ter. Ed.), 138, § 12, etc., amended.

No malt beverage shall be sold on draught from a tap, faucet or other draughting device unless there shall plainly appear on or attached to such device, in legible letters, the brand or trade name of the malt beverage so sold therefrom.

Labelling of taps.

Approved May 5, 1937.

AN ACT RE-ESTABLISHING AND DEFINING A PORTION OF THE BOUNDARY LINE BETWEEN THE TOWNS OF EDGARTOWN AND OAK BLUFFS. Chap.265

Be it enacted, etc., as follows:

SECTION 1. The following described line shall hereinafter be the dividing line between the towns of Edgartown and Oak Bluffs through the waters of Sengekontacket pond, so called, sometimes called Sengegontacket pond, and Majors cove, so called.

Beginning at Edgartown-Oak Bluffs, 2, an unmarked point in Sengekontacket pond, so called, said point being in the present boundary line between the said towns, in

latitude forty-one degrees, twenty-four minutes, fifty-one and eight one hundredths seconds, and longitude seventy degrees, thirty-three minutes, fifteen and fifty-nine one hundredths seconds, and bearing south five degrees, forty-nine minutes west, true bearing, and one hundred twenty-three feet distant from a witness mark, which is set at the south-westerly end of Sassen island, so called, near the high water line of the pond; said witness mark being a rough granite monument two and one tenth feet high and about seven by eight inches in section, with the letter E cut on the south face and ξ on the north face; thence north, true bearing, one thousand four hundred fifty-four feet to Edgartown-Oak Bluffs 2A, an unmarked point in Sengekontacket pond, so called, in latitude forty-one degrees, twenty-five minutes, five and forty-five one hundredths seconds and longitude seventy degrees, thirty-three minutes, fifteen and fifty-nine one hundredths seconds, thence north twenty-two degrees, twenty-eight minutes west, true bearing, two thousand, four hundred fifty-one feet to Edgartown-Oak Bluffs, 2B, an unmarked point in Sengekontacket pond, so called, in latitude forty-one degrees, twenty-five minutes, twenty-seven and eighty-two one hundredths seconds, and longitude seventy degrees, thirty-three minutes, twenty-seven and eighty-eight one hundredths seconds, thence north forty-one degrees, twenty-six minutes west, true bearing, three hundred seventy-four feet to Edgartown-Oak Bluffs 2C, an unmarked point in Sengekontacket pond, so called, in latitude forty-one degrees, twenty-five minutes, thirty and fifty-nine one hundredths seconds and longitude seventy degrees, thirty-three minutes, thirty-one and thirteen one hundredths seconds; thence north seventy-six degrees, twenty-nine minutes west, true bearing, five hundred ninety-four feet to Edgartown-Oak Bluffs 2D, an unmarked point in Sengekontacket pond, so called, in latitude forty-one degrees, twenty-five minutes, thirty-one and ninety-seven one hundredths seconds, and longitude seventy degrees, thirty-three minutes, thirty-eight and seventy-one one hundredths seconds; thence south sixty degrees, seventeen minutes west, true bearing, four hundred ninety-five feet to Edgartown-Oak Bluffs 2E, an unmarked point in Sengekontacket pond, so called, in latitude forty-one degrees, twenty-five minutes, twenty-nine and fifty-four one hundredths seconds, and longitude seventy degrees, thirty-three minutes, forty-four and thirty-six one hundredths seconds; thence south twenty-nine degrees, forty-seven minutes west, true bearing, eight hundred twenty-six feet to Edgartown-Oak Bluffs 2F, an unmarked point in Sengekontacket pond, so called, at the mouth of Majors cove, so called, in latitude forty-one degrees, twenty-five minutes, twenty-two and forty-six one hundredths seconds and longitude seventy degrees, thirty-three minutes, forty-nine and seventy-four one hundredths seconds, thence south forty-seven degrees, fifteen minutes west one thou-

sand, three hundred forty feet to Edgartown-Oak Bluffs 2G, an unmarked point in Majors cove, so called, in latitude forty-one degrees, twenty-five minutes, thirteen and forty-seven one hundredths seconds and longitude seventy degrees, thirty-four minutes, two and sixty-six one hundredths seconds, thence south sixty degrees, forty-seven minutes west, eight hundred two feet to Edgartown-Oak Bluffs 2H, an unmarked point in Majors cove, so called, in latitude forty-one degrees, twenty-five minutes, nine and sixty-one hundredths seconds, and longitude seventy degrees, thirty-four minutes, eleven and eighty-four one hundredths seconds, thence south one degree, eleven minutes east, true bearing, eight hundred eighty-one and eighty-five one hundredths feet to Edgartown-Oak Bluffs 2I, an unmarked point in Majors cove, so called, in latitude forty-one degrees, twenty-five minutes and eighty-nine one hundredths seconds and longitude seventy degrees, thirty-four minutes, eleven and sixty-one one hundredths seconds, thence south forty-six degrees, eighteen minutes west, true bearing, four hundred ninety-two and seventy-one hundredths feet to Edgartown-Oak Bluffs 3 W.M., a granite monument in the present boundary line, about four feet high and about seven inches square, marked with the letters ξ on the north face and the letter E on the south face, situated at the head of Majors cove, so called, about fifty feet from the low water mark and about one fourth of a mile northeast of Benjamin H. Kidder's house, in latitude forty-one degrees, twenty-four minutes, fifty-seven and fifty-three one hundred seconds and longitude seventy degrees, thirty-four minutes, sixteen and twenty-eight one hundredths seconds.

SECTION 2. The department of public works is hereby directed to locate and mark the line described in section one, by setting such witness monuments as may be required. For this purpose, there may be expended such sums, not exceeding, in the aggregate, one thousand dollars, as may hereafter be appropriated therefor.

SECTION 3. Upon the completion of the work herein provided for, said department shall file in the office of the state secretary, and in the registry of deeds for the county of Dukes county, a plan showing the boundary line hereby established and the monuments marking the same.

Approved May 5, 1937.

AN ACT PROVIDING FOR THE HOLDING OF BIENNIAL MUNICIPAL ELECTIONS IN THE CITY OF MELROSE IN ODD-NUMBERED YEARS AND ESTABLISHING THE DATE OF SAID ELECTIONS. Chap. 266

Be it enacted, etc., as follows:

SECTION 1. Beginning with the year nineteen hundred and forty-one, municipal elections in the city of Melrose for the choice of mayor, members of the board of aldermen and

members of the school committee shall be held biennially on the second Tuesday of November in every odd-numbered year.

SECTION 2. At the biennial municipal election to be held in said city in the year nineteen hundred and thirty-eight, the mayor and members of the board of aldermen shall be elected for terms of three years each, and at each biennial municipal election thereafter shall be elected for terms of two years each.

SECTION 3. At the biennial municipal election to be held in said city in the year nineteen hundred and thirty-eight, the members of the school committee to be elected thereat shall be elected to hold office until the qualification of their successors who shall be elected at the biennial municipal election in the year nineteen hundred and forty-three. The term of office of the members of the school committee elected in the year nineteen hundred and thirty-six shall continue until the qualification of their successors who shall be elected at the biennial municipal election in the year nineteen hundred and forty-one. Beginning with the biennial municipal election to be held in the year nineteen hundred and forty-one, all members of the school committee shall be elected for terms of four years each.

SECTION 4. No regular municipal election shall be held in said city in the year nineteen hundred and thirty-nine or nineteen hundred and forty.

SECTION 5. The inauguration meeting of the city government of said city shall be held on the first Monday of January following the election of its members; provided, that, if the first Monday of January falls on a holiday, said meeting shall take place on the following day. The terms of office of the members of the school committee shall commence on the first Monday of January following their election, or, if said first Monday of January falls on a holiday, on the following day.

SECTION 6. Such provisions of chapter one hundred and sixty-two of the acts of eighteen hundred and ninety-nine and of chapter four hundred and thirty-one of the acts of nineteen hundred and twenty-two, and acts in amendment thereof or in addition thereto, as are inconsistent with this act are hereby repealed.

SECTION 7. This act shall be submitted to the registered voters of the city of Melrose at the next biennial state election in the form of the following question which shall be placed upon the official ballot to be used in said city at said election: — "Shall an act passed by the general court in the year nineteen hundred and thirty-seven, entitled 'An Act providing for the holding of biennial municipal elections in the city of Melrose in odd-numbered years and establishing the date of said elections', be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to said question, then this act shall thereupon take full effect in said city, but not otherwise. *Approved May 5, 1937.*

AN ACT RELATIVE TO THE USE OF PRECINCTS IN CERTAIN TOWNS IN THE FORMATION OF REPRESENTATIVE DISTRICTS.

Chap. 267

Be it enacted, etc., as follows:

SECTION 1. Chapter fifty-four of the General Laws is hereby amended by inserting after section nine, as appearing in the Tercentenary Edition, the following new section:

G. L. (Ter. Ed.), 54, new section 9A, added.

— *Section 9A.* Notwithstanding any authorization or requirement in sections six to nine, inclusive, or in any special law, any precinct wherein the legal voters have been enumerated at any special enumeration as required by the constitution shall remain unchanged for the purpose of forming representative districts based on said enumeration until the formation thereof as aforesaid and, if such precinct is in a town the territory of which in such formation is included in two or more representative districts, shall remain unchanged for the purpose of electing representatives so long as such districts are required by the constitution to be used for such purpose; provided, that, during the month of December in the year nineteen hundred and forty-four and in every tenth year thereafter, the precincts of any town the territory of which is then included in two or more representative districts may be revised by the selectmen thereof, in the manner provided by law for such town, for use in the next succeeding special enumeration and formation of representative districts.

Change of precincts restricted.

SECTION 2. Section three of chapter forty-three A of the General Laws, as so appearing, is hereby amended by adding at the end of the first paragraph the following new sentence:— The foregoing provisions of this section shall not authorize any action contrary to the provisions of section nine A of chapter fifty-four, — so that said first paragraph will read as follows:— Upon the adoption as aforesaid of such standard form of representative town meeting government by a town, its selectmen shall forthwith divide the territory thereof into voting precincts, each of which shall be plainly designated and shall contain not less than four hundred registered voters. The precincts shall be so established as to consist of compact and contiguous territory to be bounded, as far as possible, by the center line of known streets and ways or by other well-defined limits. Their boundaries shall be reviewed, and, if need be, wholly or partly revised, by the selectmen in December, once in five years, or in December of any year when so directed by a vote of a representative town meeting held not later than November twentieth of that year. The foregoing provisions of this section shall not authorize any action contrary to the provisions of section nine A of chapter fifty-four.

G. L. (Ter. Ed.), 43A, § 3, amended.

Revision of precincts in certain towns.

Approved May 5, 1937.

Chap. 268 AN ACT RELATIVE TO THE CLOSING TIME ON CERTAIN LEGAL HOLIDAYS OF PACKAGE STORES, SO CALLED.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 138,
§ 33, etc.,
amended.

Closing time
of package
stores.

Section thirty-three of chapter one hundred and thirty-eight of the General Laws, as amended, is hereby further amended by striking out, in the twelfth and thirteenth lines of the last sentence, as appearing in section two of chapter two hundred and twenty-five of the acts of nineteen hundred and thirty-six, the words "or after six o'clock post meridian", — so as to read as follows:— *Section 33.* No licensee under section twelve shall sell and no licensee under section fifteen shall sell or deliver any alcoholic beverages, and no registered pharmacist acting under section twenty-nine and no licensee under section thirty A shall sell any alcoholic beverages or alcohol without a physician's prescription, during polling hours on any day on which a state or municipal election, caucus or primary is held in the city or town in which such licensed place is conducted; provided, that the foregoing restrictions shall not apply in the case of such an election, primary or caucus if the local licensing authorities issue an order to that effect applicable alike to all licensees of every class subject to such restrictions. No holder of a tavern license shall sell any alcoholic beverages on Sundays, no other licensee under section twelve shall sell any such beverages on Sundays before one o'clock post meridian, no registered pharmacist acting under section twenty-nine and no licensee under section thirty A shall sell any alcoholic beverages or alcohol without a prescription on Sundays or legal holidays, no licensee under section fifteen shall sell or deliver any alcoholic beverages on Sundays or on May thirtieth, Thanksgiving day or Christmas day or on the day following when May thirtieth or Christmas day occurs on Sunday, or on any other legal holiday before one o'clock post meridian and no licensee under any other section of this chapter for the sale of alcoholic beverages not to be drunk on the premises shall sell or deliver any such beverages or alcohol on Sundays or legal holidays.

Approved May 6, 1937.

Chap. 269 AN ACT RELATIVE TO THE TAKING OF TROUT FROM GREAT PONDS STOCKED WITH TROUT BY THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME OF THE DEPARTMENT OF CONSERVATION.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an

emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section fifty-nine of chapter one hundred and thirty-one of the General Laws, as amended by section two of chapter four hundred and twenty-five of the acts of nineteen hundred and thirty-six, is hereby further amended by inserting after the word "commonwealth" in the fifth line the following: — or from any great pond within the commonwealth stocked with trout under authority of section forty, — so as to read as follows: — *Section 59.* No person shall in any one day take from the waters of the commonwealth a total of more than fifteen trout, nor shall any person in any one day take more than five trout from the Deerfield river or its diverted waters within the commonwealth or from any great pond within the commonwealth stocked with trout under authority of section forty, nor shall there be taken in any one day from the waters of Onota lake in the city of Pittsfield trout to a number exceeding eight, or of an aggregate weight exceeding ten pounds, if taken by one person, or to a number exceeding fifteen, or of an aggregate weight exceeding twenty pounds, if taken by two or more persons angling from the same boat or raft; provided, that if at any time the aggregate weight of the trout then taken from the waters of said Onota lake is less than the aggregate weight limit and the taking of another trout will cause said limit to be exceeded the taking of such other trout shall be lawful if thereby the limit as to number is not exceeded.

G. L. (Ter. Ed.), 131, § 59, etc., amended.

Limit of catch.

Approved May 6, 1937.

AN ACT RELATIVE TO FILING WITH THE DEPARTMENT OF PUBLIC UTILITIES BY THE DEPARTMENT OF PUBLIC WORKS OF
LISTS OF GRADE CROSSINGS WHICH SHOULD BE ABOLISHED.

Chap. 270

Be it enacted, etc., as follows:

Section sixty-five of chapter one hundred and fifty-nine of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "consideration" in the sixth line the following: — , to which lists additional grade crossings may from time to time be added by said department of public works, — so as to read as follows: — *Section 65.* The department of public works shall proceed to make an investigation of crossings where a public or private way and a railroad cross each other at grade, in sections sixty-five to eighty-two, inclusive, referred to as grade crossings. Said department shall annually on or before October first file with the department of public utilities lists of grade crossings the abolition of which it suggests for early consideration, to which lists additional grade crossings may from time to time be added by said department of public works. Such lists shall state the names of the grade crossings, the names of the corporations operating the rail-

G. L. (Ter. Ed.), 159, § 65, amended.

Abolition of grade crossings.

roads crossed and the counties, cities and towns in which such crossings are located. The department of public works shall receive all petitions for the abolition of grade crossings from the aldermen of the city, the selectmen of the town, or the county commissioners of the county, where such a crossing exists, or the board of directors of the railroad corporation operating the railroad crossed, and after a hearing, due notice of which shall have been given to said railroad corporation, city or town and county, may in its discretion place said crossing on one of said lists. The department of public utilities, after due notice to the department of public works, the counties and municipalities in which such crossings are located and the railroad corporations operating the railroads crossed, shall proceed to hold public hearings upon such lists and such additional grade crossings as the department of public works shall have notified it to include. Upon the completion of such hearings the department of public utilities by order shall designate a program of grade crossings the abolition of which shall be considered; provided, that such program order may be amended or revised from time to time by the department of public utilities on request of the department of public works. In establishing such program the department of public utilities shall take into consideration the relative security and convenience of the public likely to result from the abolition of each particular grade crossing included therein as compared with the abolition of other grade crossings. Such program order shall state with respect to each grade crossing the name of the crossing, the name of the railroad corporation operating the railroad crossed, and the names of the counties, cities and towns in which the crossing is located. A copy of such program order and amendments and revisions thereof shall be filed in the office of the department of public utilities and of the department of public works.

Approved May 6, 1937.

Chap. 271 AN ACT REQUIRING CERTAIN MEMBERS OF THE STATE RETIREMENT SYSTEM TO MAKE CERTAIN INSTALMENT PAYMENTS IN FULL BEFORE ATTAINING AGE SIXTY.

Be it enacted, etc., as follows:

Section five of chapter three hundred and sixty of the acts of nineteen hundred and thirty-four is hereby amended by inserting after the word "payments" in the twentieth line the words: — by instalments, — and by inserting after the word "made" in the same line the words: — in full, — so as to read as follows: — *Section 5.* This act shall apply in the case of any present member of the state retirement association, formerly a member of a county, city or town contributory retirement association established in accordance with law and maintained by public funds, who would have been entitled to the benefits conferred by the foregoing provisions of this act if they had been in effect at the

time of his entry into the service of the commonwealth, and if at the date of entry as aforesaid his account in the annuity fund of such county, city or town contributory retirement association had been transferred to the state treasurer to become a part of his account in the annuity fund of the state retirement association; provided, that such member, prior to the expiration of five years from the effective date of this act, pays to the state retirement association in one sum, or by monthly instalments, equal as nearly as may be, the amount of such account and a further amount or amounts which shall be equal to the interest which would have been earned on the amount of such account if it had been transferred at the time of entry as aforesaid; and provided, further, that all payments by instalments hereunder shall be made in full before said member attains age sixty.

Approved May 6, 1937.

AN ACT TRANSFERRING CERTAIN DRIVERS OF PATROL WAGONS AND AMBULANCES OF THE POLICE DEPARTMENT OF THE CITY OF PITTSFIELD TO THE RANK OF REGULAR OFFICERS OF SAID DEPARTMENT.

Chap. 272

Be it enacted, etc., as follows:

SECTION 1. William B. Kirtland, Glenn H. Bond and Leo T. Sullivan, now drivers of patrol wagons and ambulances of the police department of the city of Pittsfield, are hereby made regular officers of said police department without further examination, shall continue to perform the duties of drivers as aforesaid, and shall hereafter be entitled to all the benefits and protection of the civil service laws, and the rules and regulations made thereunder, relative to such officers.

SECTION 2. This act shall take full effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved May 6, 1937.

AN ACT RELATIVE TO THE ELIGIBILITY OF WIDOWS OF CERTAIN WAR VETERANS TO RECEIVE STATE AID AND OF WIVES OR WIDOWS OF SUCH VETERANS TO BE BURIED AT PUBLIC EXPENSE.

Chap. 273

Be it enacted, etc., as follows:

SECTION 1. Section seven of chapter one hundred and fifteen of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the sixteenth and seventeenth lines, the word "twenty-eight" and inserting in place thereof the word: — thirty-three, — so as to read as follows: — *Section 7.* The wife of a discharged soldier or sailor shall not be held to belong to any of the foregoing classes, nor shall she receive state aid unless, if the service of the soldier or sailor was in the war with Spain, the

G. L. (Ter. Ed.), 115, § 7, amended.

Eligibility of widows to receive state aid.

Philippine Insurrection or the China Relief Expedition, she was married to him before his final discharge from such service, and, if his widow, before September first, nineteen hundred and twenty-two, and if his service was in the civil war unless she was, if his wife, married to him prior to his final discharge from such service, and, if his widow, prior to June twenty-seventh, eighteen hundred and ninety, and if the service of the soldier was in any Indian war or campaign unless she was, if his wife, married to him prior to his final discharge from such service, and, if his widow, prior to March fourth, nineteen hundred and seventeen, and if the service of the soldier or sailor was on the Mexican border or in the world war unless she was, if his wife, married to him prior to his final discharge from the service or release from active duty therein, and, if his widow, prior to January first, nineteen hundred and thirty-three.

G. L. (Ter.
Ed.), 115,
§ 19, etc.,
amended.

Burial agents,
powers and
duties.

Burial of
wives, etc.,
of veterans.

SECTION 2. Section nineteen of said chapter one hundred and fifteen, as most recently amended by section one of chapter three hundred and thirty-six of the acts of nineteen hundred and thirty-four, is hereby further amended by striking out, in the thirty-ninth and fortieth lines, the word "twenty-eight" and inserting in place thereof the word: — thirty-three, — so as to read as follows: — *Section 19.* The mayor of each city and the selectmen of each town or, in Boston, the soldiers' relief commissioner, shall designate a burial agent, who shall not be one of the board of public welfare or be employed by said board, and who shall, under regulations established by the commissioner, cause properly to be interred the body of any honorably discharged soldier or sailor who served in the army or navy of the United States during the war of the rebellion, or in the Indian campaigns if he died in receipt of a pension from the United States, or during the war between the United States and Spain or the Philippine insurrection after February fourteenth, eighteen hundred and ninety-eight and prior to July fourth, nineteen hundred and two, or in the Mexican border service of nineteen hundred and sixteen and of nineteen hundred and seventeen, or in the world war; provided, that the soldier or sailor died in such service or after an honorable discharge therefrom or release from active duty therein; and shall also so inter the body of his wife, widow or dependent father or mother, and the bodies of army nurses entitled to state aid under section six, if they die without sufficient means to defray funeral expenses, and the bodies of dependent children eighteen years of age or under, of such soldier or sailor, if such soldier or sailor and his wife, or his widow, be without sufficient means to defray funeral expenses; but no wife or widow of any soldier or sailor of the civil war shall be entitled to the benefits of this section unless she was married to him prior to June twenty-seventh, eighteen hundred and ninety, and no wife or widow of any soldier of the Indian campaigns unless she was married to him prior to March fourth, nineteen hundred and seventeen, and unless she was, if his widow,

in receipt of a pension under the act of congress of March fourth, nineteen hundred and seventeen, and no wife or widow of any soldier or sailor of the Spanish war, or the Philippine insurrection, unless she was married to him prior to September first, nineteen hundred and twenty-two; and no wife or widow of any soldier or sailor of the Mexican border service or of the world war unless she was married to him on or before January first, nineteen hundred and thirty-three. If an interment has taken place without the knowledge of the burial agent, application may be made to him within thirty days after the date of death, or after final interment if the soldier or sailor dies in the world war service; and if upon investigation he shall find that the deceased was within the provisions of this section and the rules of the commissioner, he may certify the same as provided in the following section.

Approved May 6, 1937.

AN ACT RELATIVE TO THE TIME DURING WHICH SAVINGS BANKS AND SAVINGS DEPARTMENTS OF TRUST COMPANIES MAY HOLD REAL ESTATE ACQUIRED BY THEM BY FORECLOSURE OF MORTGAGES OR AT CERTAIN SALES AND RELATIVE TO THE EXEMPTION FROM TAXATION OF THEIR DEPOSITS INVESTED IN SUCH REAL ESTATE.

Chap. 274

Be it enacted, etc., as follows:

SECTION 1. Paragraph (c) of section twelve of chapter sixty-three of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following: —, and for such additional time as the commissioner of banks may, under said clause, permit said corporation to retain said real estate, — so as to read as follows: —

G. L. (Ter. Ed.), 63, § 12, amended.

(c) Real estate the title of which has been acquired by foreclosure or purchase under clause twelfth of section fifty-four of chapter one hundred and sixty-eight, for five years after the title thereof is vested in the corporation, and for such additional time as the commissioner of banks may, under said clause, permit said corporation to retain said real estate.

Certain real estate exempt from taxation.

SECTION 2. Clause twelfth of section fifty-four of chapter one hundred and sixty-eight of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end thereof the following: —; provided, that such additional time for the sale of such real estate shall be granted for periods not longer than one year each, — so as to read as follows: — Twelfth. Such corporation may hold real estate acquired by the foreclosure of a mortgage owned by it, or by purchase at sales made under the provisions of such mortgages or upon judgments for debts due to it, or in settlements effected to secure such debts. Such corporation shall sell all such real estate within five years after the title thereof is vested in it, and notwithstanding the provisions of clause

G. L. (Ter. Ed.), 168, § 54, amended.

Real estate acquired by foreclosure.

First may take a mortgage thereon from a bona fide purchaser to secure the whole or a part of the purchase price; but the commissioner may, on petition of the board of investment of such corporation, and for cause, grant an additional time for the sale of the same or of the securities mentioned in the following clause; provided, that such additional time for the sale of such real estate shall be granted for periods not longer than one year each. *Approved May 6, 1937.*

Chap.275 AN ACT RELATIVE TO THE CHALLENGING OF VOTERS AT POLLING PLACES AT CERTAIN ELECTIONS, PRIMARIES AND CAUCUSES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 54, new section 85A, added.

Challenger of voters, appointment.

SECTION 1. Chapter fifty-four of the General Laws is hereby amended by inserting after section eighty-five, as appearing in the Tercentenary Edition, the following new section:— *Section 85A.* The state committee of a political party may appoint a person to act as a challenger of voters at any polling place in the commonwealth at a state election, and a city or town committee of such a party, in a city or town in which municipal officers are nominated by primaries or by caucuses of political parties, may appoint a person to act as such challenger at any polling place in such city or town at a municipal election. Such challenger may challenge any voter during the hours that said polling place is open for the purpose of voting; and a statement signed by the chairman of the committee appointing him shall be sufficient evidence of his right so to act. He may be compensated for his services by the political party whose committee appointed him. He shall be assigned by the election officer presiding at the polling place to such position within the polling place as will enable him to see and hear each voter as he offers to vote. Nothing herein contained shall deprive any other person of the right to challenge a voter as provided by law.

Certain sections of law to apply.

SECTION 2. The application of the provisions of the preceding section to state and party primaries and city and town primaries and caucuses shall be governed by sections twenty-four and seventy-one of chapter fifty-three of the General Laws, and section seventy-one of chapter fifty-four of the General Laws shall apply with respect to any challenger of voters appointed under section eighty-five A of said chapter fifty-four. *Approved May 6, 1937.*

Chap.276 AN ACT RELATIVE TO SUBROGATION OF THE FEDERAL DEPOSIT INSURANCE CORPORATION TO CERTAIN RIGHTS AFTER PAYMENT OF INSURED DEPOSITS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 172, § 48, etc., amended.

Section forty-eight of chapter one hundred and seventy-two of the General Laws, as amended by section twenty-

three of chapter three hundred and forty-nine of the acts of nineteen hundred and thirty-four, is hereby further amended by adding at the end the following new paragraph: —

(c) Upon payment by the Federal Deposit Insurance Corporation of the insured portion of any deposit in any such corporation in possession of the commissioner pursuant to section twenty-two of chapter one hundred and sixty-seven, or in the hands of a conservator appointed by the commissioner pursuant to section eighty-three of this chapter, said insurance corporation shall be subrogated to the rights of the person to whom such insurance was so paid to receive the same distribution from the proceeds of assets and claims of such corporation as would have been payable to him on a claim for the insured portion of such deposit, but he shall retain his right to receive distribution on so much of his claim as represents the uninsured portion of his deposit.

Approved May 6, 1937.

Subrogation
of certain
rights of in-
sured deposits.

AN ACT PROTECTING NEEDY PERSONS FROM THE PUBLIC VIEW
WHILE APPLYING FOR PUBLIC RELIEF AND SUPPORT.

Chap. 277

Be it enacted, etc., as follows:

Chapter one hundred and seventeen of the General Laws is hereby amended by inserting after section three, as appearing in the Tercentenary Edition, the following new section:

— *Section 3A.* In cities, and in towns of more than ten thousand inhabitants, each applicant for relief and support shall be interviewed privately in a room or compartment from which shall be excluded all persons, other than such applicant, such persons as shall accompany him at his request, and members, agents and employees of the board of public welfare.

Approved May 6, 1937.

G. L. (Ter.
Ed.), 117,
new section
3A, added.

Applicants
for aid, how
interviewed.

AN ACT CLARIFYING THE PROVISIONS OF LAW WITH REFER-
ENCE TO APPEALS FROM DECISIONS OF BOARDS OF HEALTH
IN RESPECT TO NUISANCES.

Chap. 278

Be it enacted, etc., as follows:

Chapter one hundred and eleven of the General Laws is hereby amended by striking out section one hundred and forty-one, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 141.* Whoever is aggrieved by the neglect or refusal of the board of health to pass all proper orders abating a nuisance, in accordance with any provision of sections one hundred and twenty-two to one hundred and thirty-nine, inclusive, may apply to the county commissioners, who may hear and determine such application and exercise in such case all of the powers of said board. The applicant shall, within twenty-four hours after such neglect or refusal, file with said board a written notice to the adverse party of his intention so to apply to the county commissioners, and within seven days

G. L. (Ter.
Ed.), 111,
§ 141, amended.

Appeals from
decisions of
boards of
health.

after the filing of said written notice shall present a petition to one of the county commissioners, stating the grievance complained of and the action of the board of health thereon or the neglect or refusal of said board to act thereon, as the case may be.

Approved May 6, 1937.

Chap. 279 AN ACT ESTABLISHING THE SALARIES OF THE DISTRICT ATTORNEY AND THE ASSISTANT DISTRICT ATTORNEYS OF THE SOUTHERN DISTRICT.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 12, § 15, etc., amended.

SECTION 1. Section fifteen of chapter twelve of the General Laws, as amended by section two of chapter four hundred and fifty-eight of the acts of nineteen hundred and thirty-five, is hereby further amended by striking out the paragraph contained in the eighth line and inserting in place thereof the following paragraph: —

For the southern district, six thousand dollars.

Salary of district attorney

G. L. (Ter. Ed.), 12, § 16, etc., amended.

SECTION 2. Section sixteen of said chapter twelve, as amended by section three of said chapter four hundred and fifty-eight, is hereby further amended by striking out the paragraph contained in the twenty-third and twenty-fourth lines and inserting in place thereof the following paragraph: —

For the southern district, assistant, thirty-six hundred dollars; second assistant, three thousand dollars.

Salaries of assistants.

Approved May 6, 1937.

Chap. 280 AN ACT AUTHORIZING THE TOWN OF READING TO ESTABLISH REGULATIONS REQUIRING OWNERS TO CONNECT WITH THE COMMON SEWER THEREIN.

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and fourteen of the acts of nineteen hundred and nine is hereby amended by striking out section thirteen and inserting in place thereof the following: — *Section 13.* The board of public works, successor to the sewer commissioners, under authority of section two of chapter one hundred and eighteen of the acts of the year nineteen hundred and twenty-one may from time to time prescribe rules and regulations for the connecting of estates and buildings with main drains and sewers and for the purpose of requiring all owners of buildings located upon land abutting a public or private way in which there is a common sewer to connect therewith, and for the inspection of the materials, the construction, alteration and use of all connections and drains entering into such main drains or sewers, and may impose penalties not exceeding twenty dollars for every violation of any such rule or regulation, or not exceeding one dollar for each day during which such violation continues. Such rules or regulations shall be published not less than once a week for three successive weeks in some newspaper published in the town of

Reading, if there be any, and if not, then in some newspaper published in the county of Middlesex, and shall not take effect until such publication has been made.

SECTION 2. This act shall take full effect upon its acceptance by vote of the inhabitants of the town of Reading at a town meeting held within two years after its passage.

Approved May 6, 1937.

AN ACT RELATIVE TO CERTIFICATES OF FITNESS OF CERTAIN
SCHOOL SUPERINTENDENTS.

Chap. 281

Be it enacted, etc., as follows:

Section sixty-six of chapter seventy-one of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following new paragraph:—

G. L. (Ter. Ed.), 71, § 66, amended.

A person holding a certificate of the department certifying to his fitness to serve as superintendent in a union under this chapter shall not be deprived by the department of said certificate by its withdrawal, by refusal to renew it, or by other means, unless such person shall have been given written notice at least thirty days prior to the intended action of the department, together with a written statement giving reasons for the intended action. No such person shall be so deprived of a certificate as aforesaid except for inefficiency, incompetence, unbecoming conduct, or other good cause; nor unless, if he so requests, he shall have been given a hearing before the department at which hearing he may present witnesses.

Certificates of fitness of school superintendents in state-aided schools.

Approved May 6, 1937.

AN ACT FURTHER REGULATING THE REMOVAL, TRANSPORTATION AND DISPOSAL OF GARBAGE, OFFAL AND OTHER OFFENSIVE SUBSTANCES.

Chap. 282

Be it enacted, etc., as follows:

Chapter one hundred and eleven of the General Laws is hereby amended by striking out section thirty-one A, as appearing in the Tercentenary Edition, and inserting in place thereof the two following new sections:— *Section 31A.* No person shall remove or transport garbage, offal or other offensive substances through the streets of any city or town without first obtaining a permit from the board of health of such city or town. An application for such permit shall be in such form and contain such information, on oath, as such board shall require. All such permits shall expire at the end of the calendar year in which they are issued, but may be renewed annually on application as herein provided. No permit shall be transferred except with the approval of the said board.

G. L. (Ter. Ed.), 111, § 31A, amended, and new § 31B, added.

Removal of garbage, etc., regulated.

Section 31B. Boards of health shall, from time to time, make rules and regulations for the control of the removal, transportation or disposal of garbage, offal or other offen-

Rules.

sive substances. Whoever violates any provision of section thirty-one A, or of any rule or regulation made thereunder, shall be punished by a fine of not more than fifty dollars.

Approved May 6, 1937.

Chap. 283 AN ACT MAKING CERTAIN THAT SERVICE REQUIRED UNDER CERTAIN PROVISIONS OF LAW PROVIDING FOR LABORERS' PENSIONS NEED NOT BE CONTINUOUS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 32, § 78A,
etc., amended.

SECTION 1. Chapter thirty-two of the General Laws is hereby amended by striking out section seventy-eight A, as amended by section seven of chapter one hundred and two of the acts of the current year, and inserting in place thereof the following: — *Section 78A.* No laborer whose employment begins after June thirtieth, nineteen hundred and thirty-seven, shall be subject to the provisions of section seventy-seven or seventy-eight. Wherever in said section seventy-seven or seventy-eight a number of years of service is specified as a requirement of eligibility to receive a pension, such service need not be continuous.

Pensions
for laborers.

Application
of act.

SECTION 2. The provisions of section one shall apply with respect to service rendered before this act becomes effective, as well as afterward. *Approved May 11, 1937.*

Chap. 284 AN ACT PROHIBITING DISCRIMINATION AS TO AGE IN EXAMINATIONS OF APPLICANTS FOR LICENSES TO OPERATE MOTOR VEHICLES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 90, § 8,
etc., amended.

Section eight of chapter ninety of the General Laws, as amended by chapter one hundred and three of the acts of nineteen hundred and thirty-four, is hereby further amended by inserting after the word "registrar" in the fifth line the words: — , without discriminating as to age, — so as to read as follows: — *Section 8.* Application for license to operate motor vehicles may be made by any person; but before such a license is granted the applicant shall pass such examination as to his qualifications as the registrar, without discriminating as to age, shall require, and no license shall be issued until the registrar or his authorized agent is satisfied that the applicant is a proper person to receive it, and no such license shall be issued to any person under six-

Licenses to
operate motor
vehicles, ap-
plications for.

teen years of age. To each licensee shall be assigned some distinguishing number or mark, and the licenses issued shall be in such form as the registrar shall determine. They may contain special restrictions and limitations. They shall contain the distinguishing number or mark assigned to the licensee, his name, place of residence and address, a brief description of him for purposes of identification, and such other information as the registrar shall deem necessary. A person to whom a license to operate motor vehicles has been issued, unless such license contains a special limitation or restriction, may operate any registered motor vehicle. Special licenses shall be issued to operators of motor-propelled fire apparatus who are members of a municipal fire department. Every person licensed to operate motor vehicles as aforesaid shall endorse his usual signature on the margin of the license, in the space provided for the purpose, immediately upon the receipt of said license, and such license shall not be valid until so endorsed. All licenses issued to operators shall be valid for one year only from the date of issue. Every application for an original license filed under this section shall be sworn to by the applicant before a justice of the peace or notary public.

Approved May 11, 1937.

AN ACT RELATIVE TO VIOLATIONS OF REASONABLE HEALTH REGULATIONS ADOPTED BY BOARDS OF HEALTH.

Chap. 285

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Section thirty-one of chapter one hundred and eleven of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following new sentence:—Whoever, himself or by his servant or agent, or as the servant or agent of any other person or any firm or corporation, violates any reasonable health regulation, made under authority of this section, for which no penalty by way of fine or imprisonment, or both, is provided by law, shall be punished by a fine of not more than twenty dollars,—so as to read as follows:—*Section 31.* Boards of health may make reasonable health regulations. All regulations made by boards of health under this chapter shall be published once in a newspaper published in the town, and such publication shall be notice to all persons. Whoever, himself or by his servant or agent, or as the servant or agent of any other person or any firm or corporation, violates any reasonable health regulation, made under authority of this section, for which no penalty by way of fine or imprisonment, or both, is provided by law, shall be punished by a fine of not more than twenty dollars.

G. L. (Ter.
Ed.), 111,
§ 31, amended.

Health regu-
lations, viola-
tions of.

Penalty.

Approved May 11, 1937.

Chap.286 AN ACT PERMITTING THE LETTING OF MOTOR VEHICLES AND BICYCLES, AND THE LETTING ON TRAINS OF CERTAIN EQUIPMENT OR ACCESSORIES FOR PERSONAL USE IN CONNECTION WITH OUTDOOR SPORTS AND RECREATION, ON THE LORD'S DAY.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 136,
§ 6, etc.,
amended.

The third paragraph of section six of chapter one hundred and thirty-six of the General Laws, as most recently amended by chapter one hundred and twenty-nine of the acts of nineteen hundred and thirty-six, is hereby further amended by inserting after the word "boats" in the fourteenth line the words: —, motor vehicles or bicycles; the letting on trains of equipment or accessories for personal use in connection with outdoor recreation and sports activities, — so as to read as follows: —

Certain work
on Lord's day
permitted.

Nor shall it prohibit work lawfully done by persons working under permits granted under section nine; the sale by licensed innholders and common victuallers of meals such as are usually served by them, consisting in no part of alcoholic beverages, as so defined, which meals are cooked on the premises but are not to be consumed thereon; the operation of motor vehicles; the sale of gasoline and oil for use, and the retail sale of accessories for immediate necessary use, in connection with the operation of motor vehicles, motor boats and aircraft; the making of such emergency repairs on disabled motor vehicles as may be necessary to permit such vehicles to be towed or to proceed under their own power, and the towing of disabled motor vehicles; the letting of horses and carriages or of boats, motor vehicles or bicycles; the letting on trains of equipment or accessories for personal use in connection with outdoor recreation and sports activities; unpaid work on pleasure boats; the running of steam ferry boats on established routes; the running of street railway cars; the running of steamboat lines and trains or of steamboats, if authorized under section nineteen.

Approved May 11, 1937.

Chap.287 AN ACT REGULATING ADVERTISING IN CONNECTION WITH THE SALE OF EYE GLASSES, LENSES OR EYE GLASS FRAMES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 112,
new section
73A, added.

Advertising
sale of eye
glasses, etc.,
regulated.

SECTION 1. Chapter one hundred and twelve of the General Laws is hereby amended by inserting after section seventy-three, as amended, the following new section: — *Section 73A.* No person, in connection with the sale of eye glasses, lenses or eye glass frames, shall include in any news-

paper, radio, display sign or other advertisement any statement of a character tending to deceive or mislead the public, or any statement which in any way misrepresents any material or service or credit terms, or any statement containing the words "free examination of eyes", "free advice", "free consultation", "consultation without obligation", or any other words or phrases of similar import which convey the impression that eyes are examined free, or any statement advertising any material used for ophthalmic purposes unless it is described truthfully in all its component parts, or any statement advertising lenses or complete eye glasses including lenses at a fixed price, either alone or in conjunction with professional services, or any statement advertising a frame or mounting at a fixed price unless a further statement, to the effect that said price is for the frame or mounting only and does not include lenses, eye examination or professional services, is included in said advertisement, orally in case of radio advertisement and, if the advertisement is written or printed, in words or print as legible and not less than one half the size of the words or print used for said price, or any statement which lays claim to a policy or continuing practice of generally underselling competitors, or any statement which refers inaccurately to the goods, prices, values, credit terms, policies or services of any competitor. A price shall be construed as being fixed, within the meaning of this section, although the words "and up" or "as low as" or words of similar import are used in connection therewith. Whoever violates any provision of this section shall be punished for the first offence by a fine of not less than fifty dollars nor more than two hundred dollars or by imprisonment for not more than three months, or both, and for a subsequent offence by a fine of not less than two hundred dollars nor more than five hundred dollars or by imprisonment for not less than three nor more than six months, or both.

SECTION 2. This act shall take effect on January first, nineteen hundred and thirty-eight. Effective date.

Approved May 11, 1937.

AN ACT FURTHER REGULATING THE SALE OF AGRICULTURAL SEEDS. Chap. 288

Be it enacted, etc., as follows:

SECTION 1. Chapter ninety-four of the General Laws is hereby amended by striking out sections two hundred and sixty-one H to two hundred and sixty-one L, inclusive, as appearing in the Tercentenary Edition, and inserting in place thereof the following five new sections: — *Section 261H.* The commissioner of agriculture, either in person or by his assistants, shall have free access at all reasonable hours to each building or other place where agricultural seeds or mixtures thereof are stored, sold or offered or exposed for sale

G. L. (Ter. Ed.), 94, §§ 261H-261L, amended.

Access to stores, etc.

Taking of
samples.

for the purpose of inspection of such seeds and, upon tendering the market price, may take samples of such agricultural seeds or mixtures thereof for tests and analyses. Such samples shall be thoroughly mixed and two official samples taken therefrom; each official sample shall be securely sealed. Such official samples shall be submitted by said commissioner or his deputy to the director of the Massachusetts agricultural experiment station, in this and the four following sections called the director, for testing and analyzing. One of such samples shall be held by the director or his duly authorized assistant at the disposal of the person named on the label as the vendor of the agricultural seed sampled, for six months after the results of the analysis have been reported as provided in the following section, and the other sample retained by the director or such assistant for analysis.

Analyses
and tests.

Section 261I. The director shall cause such tests and analyses as he may specify to be made of samples collected under the preceding section in order to determine the quality of the seeds contained in such samples. The results of all such analyses shall be reported to the commissioner of agriculture. To enable the director to determine the trueness to type or variety of vegetable and other seeds he shall provide that field tests be made of such samples of seeds as he may designate and may publish the results of all such tests and analyses as are made in accordance with the provisions of this section.

Definition of
"approximate".

Section 261J. The word "approximate" as used in sections two hundred and sixty-one A to two hundred and sixty-one L, inclusive, shall be defined in rules and regulations promulgated by the director.

Submission
of seeds
for test.

Section 261K. Any person residing or doing business in this commonwealth shall have the privilege of submitting to the director samples of agricultural seeds for test and analysis, subject to such rules and regulations as may be adopted by the director, including a reasonable charge or fee for such test and analysis. Receipts under this section shall be paid into the treasury of the commonwealth.

Penalty.

Section 261L. Whoever sells, offers or exposes for sale, any lot of agricultural seeds, or mixtures of agricultural seeds, without complying with the requirements of sections two hundred and sixty-one A to two hundred and sixty-one K, inclusive, or falsely marks or labels such agricultural seeds or mixtures thereof or vegetable seeds, or impedes, obstructs or hinders the commissioner of agriculture or any of his duly authorized agents, or the director or any of his duly authorized assistants, in the discharge of the authority or duties conferred or imposed by any provision of said sections, shall be punished by a fine of not more than five hundred dollars.

Present rules,
etc., to con-
tinue in effect.

SECTION 2. The rules and regulations promulgated by the commissioner of agriculture under authority of sections two hundred and sixty-one J and two hundred and sixty-

one K, respectively, of chapter ninety-four of the General Laws and in effect immediately prior to the effective date of this act shall continue in full force and effect until the promulgation of rules and regulations by the director of the Massachusetts agricultural experiment station under authority of said sections, as amended by this act, respectively.

Approved May 11, 1937.

AN ACT AUTHORIZING THE TOWN OF RUTLAND TO BORROW MONEY FOR SCHOOL, LIBRARY OR TOWN OFFICE BUILDING PURPOSES. Chap.289

Be it enacted, etc., as follows:

SECTION 1. For the purposes of acquiring land for and constructing a school, town office and library building, or one or more buildings for any or all of such purposes, and of originally equipping and furnishing said building or buildings, the town of Rutland may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, forty thousand dollars, and may issue bonds or notes of the town therefor, which shall bear on their face the words, Rutland Buildings Loan, Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its passage.

Approved May 12, 1937.

AN ACT RELATIVE TO THE REINSTATEMENT OF FREDRIC J. HINCH AND RALPH C. PUTNAM, JR., IN THE PERMANENT FORCE OF THE FIRE DEPARTMENT OF THE TOWN OF MARBLEHEAD. Chap.290

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter four of the acts of nineteen hundred and thirty-two is hereby amended by striking out, in the second line, the word "five" and inserting in place thereof the word:—seven,— by striking out, in the third line, the words "in the order named and", — and by inserting before the word "as", the first time such word appears in the sixth line, the words:— or either of them,— so as to read as follows:— *Section 1.* The fire engineers of the town of Marblehead may, within a period of seven years following the effective date of this act, reinstate without examination, in the permanent force of the fire department of said town, Fredric J. Hinch and Ralph C. Putnam, Jr., or either of them, as vacancies occur therein

or as its personnel is increased or new positions are established therein, notwithstanding any provision of section thirty-six of chapter forty-eight of the General Laws, or of chapter thirty-one thereof or of any rule or regulation made under said chapter; said Hinch and Putnam having been discharged from said department without fault on March nineteenth, nineteen hundred and twenty-nine. Upon reinstatement, each shall be entitled to the same ratings as if his service in said department had not been interrupted by said discharge.

SECTION 2. This act shall take effect upon its passage.

Approved May 12, 1937.

Chap. 291 AN ACT PROVIDING THAT NOT MORE THAN ONE APPLICATION FOR A LICENSE FOR THE RETAIL SALE OF ALCOHOLIC BEVERAGES TO BE EXERCISED ON THE SAME PREMISES SHALL BE RECEIVED IN ANY CALENDAR YEAR.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 138, § 16B, etc., amended.

Section sixteen B of chapter one hundred and thirty-eight of the General Laws, as most recently amended by section fourteen of chapter four hundred and forty of the acts of nineteen hundred and thirty-five, is hereby further amended by adding at the end thereof the following new paragraph:—

Application for more than one license not to be received.

Unless the licensing authorities otherwise determine, not more than one application for a license under section twelve or fifteen to be exercised on the same premises shall be received in any year.

Approved May 12, 1937.

Chap. 292 AN ACT PROVIDING FOR THE ACQUISITION BY THE CITY OF BOSTON OF CERTAIN PROPERTY OF THE DEDHAM AND HYDE PARK GAS AND ELECTRIC LIGHT COMPANY LOCATED WITHIN SAID CITY AND THE LEASE THEREOF TO THE BOSTON CONSOLIDATED GAS COMPANY.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, hereinafter called the city, acting through its public works department, and without other authority than that contained in this act, may at any time before January first, nineteen hundred and thirty-eight, purchase or take by eminent domain the physical property of the Dedham and Hyde Park Gas and Electric Light Company located within said city.

SECTION 2. The taking or takings by eminent domain authorized herein shall be made and damages therefor determined and paid under and in accordance with chapter

seventy-nine of the General Laws, except that petitions for the assessment of damages may be filed in the superior court for any of the following counties:—Suffolk, Norfolk or Middlesex. The city, acting by its public works department, with the approval of the mayor, may make payment for damages for all property taken under authority of this act out of the proceeds of bonds issued by the city under authority of section six, but, if the amount of the proceeds available from such bonds is insufficient to pay the full amount of such damages, the city shall nevertheless be liable for such damages, irrespective of any legal limit of indebtedness previously provided by law.

SECTION 3. Before acquiring any property under authority of this act, said public works department, in the name and on behalf of the city, shall execute a contract in writing with the Boston Consolidated Gas Company, hereinafter called the company, upon such terms and conditions, not inconsistent with the provisions of this act, as said department and the board of directors of the company may agree upon, for the use by the company of the property proposed to be acquired, for such term as may be agreed upon by said department and the company. The company shall pay for the use of the property a rental at the rate of not less than four and one half nor more than eight per cent per annum upon the fair and reasonable value of the property as agreed upon, with respect to both such rate and value, by said department and the company, or, in case of a failure so to agree, as determined by the department of public utilities. In case the company shall be kept out of possession or deprived of the use of the property, or any part thereof, by any act on the part of the city or of any person or corporation claiming an adverse interest in said property, the rental or a just and reasonable part thereof as agreed upon by said public works department and the company, or, in case of a failure so to agree, as determined by said department of public utilities, shall be suspended or abated during the time the company is so kept out of possession or deprived of the use of the property, or any part thereof. In case the city shall, during the term of such contract for use, reimburse the company for capital expenditures upon the property as provided in section four, the amount of such reimbursement shall be added to the fair and reasonable value of the property for the purpose of determining the rental thereafter payable by the company for the use of the property.

SECTION 4. Said contract for use shall require the return of the property to the city at the termination of said use in good operating condition, and shall provide that the company may from time to time make such alterations, replacements, additions and improvements in and to the property as the company shall deem to be necessary or advisable to put the property in good operating condition; provided, that no such alterations, replacements, additions or improvements shall be made, except in case of emergency, without

the written consent of said public works department or a certificate from said department of public utilities that the proposed work is reasonably necessary or advisable to put the property in good operating condition. In case of any such alteration, replacement, addition or improvement, said department of public utilities shall on application of the company determine what proportion thereof, if any, constitutes a proper charge against capital, and the city shall thereupon pay the same to the company. If the city shall not make said payments when due, the company shall be entitled to deduct the amount thereof, with interest, from any rental subsequently payable to the city for the use of the property.

SECTION 5. There shall be made, as of the date when the use of the property by the company begins and as of the date when the use terminates, a full and complete inventory, description and valuation of the property by a board of three persons, one appointed by said public works department, one by the company, and the third chosen by the two so appointed or, in case of their failure to agree upon a third person, by the governor. In case the valuation so made as of the date when the use begins, plus all capital improvements and betterments for which the company has been reimbursed by the city, shall exceed the valuation at the termination of the use, the company shall pay over to the city an amount equal to such excess, and in case such valuation as of the date when the use begins, plus all capital improvements and betterments for which the company has been reimbursed by the city, is less than the amount of the valuation at the termination of the use, the city shall pay over to the company an amount equal to such deficit.

SECTION 6. The treasurer of the city shall from time to time, on request of said public works department, and without further authorization than herein contained, issue and sell at public or private sale the bonds of the city, registered or with interest coupons attached, as he may deem best, to an amount not exceeding, in the aggregate, the cost of carrying out the provisions of this act. Such bonds shall bear on their face the words, Hyde Park Gas Loan, shall be for such terms, not exceeding forty-five years, as the mayor and treasurer of the city shall determine, and shall bear interest, payable semi-annually, at such rate as the treasurer shall determine. The proceeds of such bonds, including any premium realized from the sale thereof, shall be used to meet all damages, cost and expenses incurred by said public works department or by the city in carrying out the provisions of this act. The board of commissioners of sinking funds of the city shall establish a sinking fund for the payment of the bonds issued under authority of this act. The proceeds from any sale or sales of property taken, or acquired by purchase or otherwise, under authority of this act shall be used for the same purpose as the rental of said property or shall be used for the payment of expenditures incurred for the ac-

quisition of said property, as said public works department may determine. All rentals, tolls, percentages or other compensation received by the city under the provisions of this act shall annually be used by the treasurer of the city, first, to meet the requirements of any deficiency in said sinking fund; second, to meet the interest on said bonds; and the surplus, if any, as a part of the general revenue of the city. The city shall have, hold and enjoy in its private or proprietary capacity, as and for its own property, the property acquired by it under the provisions of this act, and all rents, tolls, income and profits from all contracts entered into by it for the use of said property or any part thereof, and the same shall never be taken by the commonwealth except on payment of just compensation.

Debts incurred by the city for the purposes of this act shall not be considered in determining the statutory limit of indebtedness of the city.

SECTION 7. In respect to the use and operation of the property, the company shall have all the powers and privileges and be subject to all the duties, liabilities, restrictions and provisions set forth in general and special laws now or hereafter in force applicable to it.

SECTION 8. The contract for the use of the property executed in accordance with the authority conferred by this act shall not in any respect impair any right which the commonwealth or the city of Boston or any other licensee of the commonwealth may at any time have to take the properties of the company. In the event of such taking, the compensation to be paid to the company shall not be enhanced by reason of such contract, nor shall it be diminished because of the fact that without it properties might be cut off.

SECTION 9. This act shall take effect upon its acceptance by vote of the city council of the city of Boston, approved by the mayor, and the filing of a certificate evidencing such acceptance with the state secretary.

Approved May 12, 1937.

AN ACT AUTHORIZING THE TOWN OF RUTLAND TO RECEIVE AND ADMINISTER THE PROPERTY OF THE SECOND RURAL CEMETERY ASSOCIATION IN SAID TOWN, SUBJECT TO JUDICIAL DECREE AS AFFECTING TRUST PROPERTY.

Chap. 293

Be it enacted, etc., as follows:

SECTION 1. The Second Rural Cemetery Association, a corporation duly incorporated under general law and situated in the town of Rutland, may, by deed duly executed, convey and transfer to said town, and said town is hereby authorized and empowered to receive, and thereafter to hold and maintain, but for cemetery purposes only, and subject to all rights heretofore existing in any burial lots, the real and personal property of the corporation not subject to any trust, and thereupon, and upon the transfer of the

trust funds as hereinafter provided, the corporation shall be dissolved; and the cemetery of the corporation shall be and become a public burial place, ground or cemetery.

SECTION 2. In so far as authorized by a decree of a court of competent jurisdiction and in compliance with the terms and conditions of such decree, said town may receive from said corporation a conveyance and transfer of, and administer, all funds or other property held by it in trust for the perpetual care of the lots in its cemetery and for other purposes, and also any property devised or bequeathed to said corporation under the will of any person living at the time of said transfer or conveyance or under the will of any deceased person not then probated. Interest and dividends accruing on funds deposited in trust with any savings bank, under authority of section thirty-seven or thirty-eight of chapter one hundred and sixty-eight of the General Laws, or with any other banking institution, for the benefit of the corporation, or of any lots in its cemetery, may, after such conveyance, be paid by such bank or institution to the treasurer of said town; and upon such payment said treasurer shall use the same for the purposes of said trusts.

SECTION 3. All real and personal property, and property rights, acquired by said town from the corporation under authority of section one shall be held and managed by said town in the same manner in which cities and towns are authorized by law to hold and manage property for cemetery purposes; provided, that all rights which any persons have acquired in the cemetery of the corporation, or any lots therein, shall remain in force to the same extent as if this act had not been passed and such transfer had not occurred. The records of said corporation shall be delivered to the clerk of said town, and such clerk may certify copies thereof.

SECTION 4. This act shall take full effect upon its acceptance by a majority of the registered voters of the town of Rutland voting thereon at an annual or a special town meeting of said town held not later than the annual town meeting in the year nineteen hundred and thirty-eight.

Approved May 12, 1937.

Chap. 294 AN ACT ESTABLISHING THE SALARY OF THE JUSTICE OF THE DISTRICT COURT OF DUKES COUNTY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 218, § 77, amended.

Chapter two hundred and eighteen of the General Laws is hereby amended by striking out section seventy-seven, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 77.* The salary of the justice of the district court of Dukes county shall be twenty-four hundred dollars and the salary of the justice of the district court of Nantucket shall be fifteen hundred dollars. The salary of the clerk of the district court of Dukes county

Salaries of justices in Dukes and Nantucket counties.

shall be eleven hundred and twenty-five dollars and the salary of the clerk of the district court of Nantucket shall be five hundred dollars.

Approved May 12, 1937.

AN ACT FURTHER REGULATING THE ATTACHMENT OF MOTOR VEHICLES ON MESNE PROCESS IN ACTIONS OF CONTRACT.

Chap. 295

Be it enacted, etc., as follows:

SECTION 1. Section forty-two of chapter two hundred and twenty-three of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the fifth line, the word "three" and inserting in place thereof the word: — four, — so as to read as follows: — *Section 42.* All real and personal property liable to be taken on execution, except such personal property as, from its nature or situation, has been considered as exempt according to the principles of the common law as adopted and practiced in the commonwealth, and except as provided in the four following sections, may be attached upon the original writ in any action in which debt or damages are recoverable, and may be held as security to satisfy such judgment as the plaintiff may recover; but no attachment of land shall be made on a writ returnable before a district court unless the debt or damages demanded therein exceed twenty dollars.

G. L. (Ter. Ed.), 223, § 42, amended.

Property liable to attachment.

SECTION 2. Said chapter two hundred and twenty-three is hereby further amended by inserting after section forty-four, as so appearing, the following new section: — *Section 44A.* Motor vehicles registered under the law of this commonwealth shall not be attached on mesne process in an action of contract unless written consent to such attachment is endorsed on the writ and signed by a justice, associate justice or special justice of the court wherein such action is commenced. Costs in any action in which such a motor vehicle has been attached shall be in the discretion of the court.

G. L. (Ter. Ed.), 223, new section 44A, added.

Attachment of motor vehicles.

Approved May 12, 1937.

AN ACT PROVIDING FOR THE SCREENING BY THE DEPARTMENT OF CONSERVATION OF THE OUTLET AND SPILLWAY OF THE EAST OTIS RESERVOIR.

Chap. 296

Be it enacted, etc., as follows:

The department of conservation is hereby authorized and directed to screen the outlet and spillway of the East Otis reservoir in the town of Otis. For said purpose said department may expend a sum not exceeding thirty-five hundred dollars, to be paid from items two hundred and ninety-one and two hundred and ninety-two of the general appropriation act of the current year.

Approved May 12, 1937.

Chap.297 AN ACT ESTABLISHING THE OFFICE OF SECOND ASSISTANT CLERK OF THE CENTRAL DISTRICT COURT OF WORCESTER.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 218, § 10, etc., amended.

Assistant clerks of district courts.

SECTION 1. Section ten of chapter two hundred and eighteen of the General Laws, as amended by section one of chapter one hundred and sixty of the acts of nineteen hundred and thirty-two, is hereby further amended by inserting after the word "district" in the twenty-second line the words: — , the central district court of Worcester, — so as to read as follows: — *Section 10.* The clerk of a district court may, subject to the approval of the justice, appoint one or more assistant clerks, who shall be removable at his pleasure or at the pleasure of the court, for whose official acts the clerk shall be responsible and who shall be paid by him unless salaries payable by the county are authorized in this section or in section fifty-three. Assistant clerks with salaries payable by the county may be appointed in the central district court of northern Essex, the municipal court of the Charlestown district, the municipal court of the Brighton district, the district court of western Hampden, the district court of Newton, the district court of northern Norfolk and in courts the judicial districts of which have, according to the national or state census last preceding, a population of sixty thousand or more. Second assistant clerks with salaries payable by the county may be appointed in the municipal court of the Roxbury district, the East Boston district court, the municipal court of the Charlestown district, the municipal court of the Dorchester district, the municipal court of the Brighton district, the municipal court of the West Roxbury district, the central district court of Worcester, and, subject to the approval of the county commissioners, in the first district court of eastern Middlesex, the third district court of eastern Middlesex, the district court of southern Essex, the third district court of Bristol and the district court of East Norfolk.

Third assistant clerks with salaries payable by the county may be appointed in the municipal court of the Roxbury district and, subject to the approval of the county commissioners, in the first district court of eastern Middlesex and the third district court of eastern Middlesex.

Acceptance of act.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the county commissioners of Worcester county.

Approved May 12, 1937.

Chap.298 AN ACT PROVIDING FOR AN ADDITIONAL COURT OFFICER IN THE MUNICIPAL COURT OF THE WEST ROXBURY DISTRICT.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 218, § 62, etc., amended.

Section sixty-two of chapter two hundred and eighteen of the General Laws, as most recently amended by section one of chapter seventy-one of the acts of nineteen hundred

and thirty-five, is hereby further amended by inserting after the word "Middlesex", in the tenth line, the words: — and in the municipal court of the West Roxbury district, — and by striking out, in the twelfth and thirteenth lines, the words "of the Dorchester district and of the West Roxbury district" and inserting in place thereof the words: — and of the Dorchester district, — so as to read as follows: — *Section 62.* In the municipal court of the city of Boston the court officers appointed shall not exceed ten for criminal business and five for civil business and one of such court officers for criminal business shall be designated by the chief justice as chief court officer of said court for criminal business, and one of such court officers for criminal business shall be designated as an assistant chief court officer; in the municipal court of the Roxbury district four court officers may be appointed; in the third district court of Eastern Middlesex and in the municipal court of the West Roxbury district three court officers may be appointed; in the municipal court of the South Boston district, of the Charlestown district and of the Dorchester district, the East Boston district court, the district court of Chelsea and the district court of East Norfolk two court officers for each court may be appointed; and in each of the other district courts in the commonwealth one court officer may be appointed.

Court officers,
number of.

Approved May 12, 1937.

AN ACT AUTHORIZING THE TOWN OF ADAMS TO PENSION
EDWARD H. CASSIDY.

Chap.299

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good and in consideration of his long and meritorious service, the town of Adams, acting by its board of selectmen, may retire Edward H. Cassidy, who served the town faithfully for over thirty-five years in its police department, on an annual pension, payable monthly, equal to one half the salary received by him at the time of the termination of his active service.

SECTION 2. This act shall take effect upon its acceptance by a majority of the registered voters of said town, voting thereon by official ballot at an annual town meeting, or voting thereon at a special town meeting called for the purpose.

Approved May 12, 1937.

AN ACT ABOLISHING THE BOARD OF ARMORY COMMISSIONERS
AND ESTABLISHING AN ARMORY COMMISSION.

Chap.300

Be it enacted, etc., as follows:

SECTION 1. Chapter six of the General Laws is hereby amended by striking out section eighteen and the heading immediately preceding, as appearing in the Tercentenary Edition, and inserting in place thereof the following: —

G. L. (Ter.
Ed.), 6, § 18,
amended.

ARMORY COMMISSION.

Armory com-
mission.

Section 18. There shall be an armory commission composed as follows: — The adjutant general, who shall be chairman, the state quartermaster, who shall be clerk, and the major general commanding the twenty-sixth division, Massachusetts national guard. Neither the adjutant general nor the state quartermaster shall receive any additional compensation on account of their membership in said commission. The said major general shall receive one day's pay of grade and allowances for each day that he actually sits or performs the duties incumbent upon him as a member of said commission, but in no case more than five hundred dollars in any one year.

Transfer of
powers.

SECTION 2. From and after the effective date of this act, all the rights, powers, duties and obligations theretofore conferred or imposed upon the board of armory commissioners shall be exercised and performed by the armory commission established by section one.

Approved May 12, 1937.

Chap. 301 AN ACT RELATIVE TO THE JURISDICTION OF DISTRICT COURTS
FOR CRIMINAL BUSINESS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 218, § 26,
amended.

SECTION 1. Chapter two hundred and eighteen of the General Laws is hereby amended by striking out section twenty-six, as appearing in the Tercenary Edition, and inserting in place thereof the following: — *Section 26.* District courts shall have original jurisdiction, concurrent with the superior court, of the following offences committed within their respective districts or otherwise made punishable therein: all violations of by-laws, orders, ordinances, rules and regulations, made by cities, towns and public officers, all misdemeanors, except conspiracies and libels, and all felonies for which a penalty of fine or imprisonment in a jail or house of correction is provided.

District courts,
jurisdiction
in criminal
cases.

Effective
date.

SECTION 2. This act shall become effective on September first of the current year.

Approved May 12, 1937.

Chap. 302 AN ACT TO ALLOW CREDIT UNDER THE TEACHERS' RETIRE-
MENT LAW FOR SERVICE RENDERED IN PUBLIC DAY SCHOOLS
OUTSIDE THE COMMONWEALTH.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 32, § 9,
amended.

Section nine of chapter thirty-two of the General Laws, as appearing in the Tercenary Edition, is hereby amended by adding at the end the following new paragraph: —

Funds of
retirement
systems.

(5) A person hereafter becoming a member or being reinstated a member in accordance with paragraph (3) of section eleven, while in active service, may, within five years

of the date of his membership, or reinstatement as a member, pay in one sum into the annuity fund established by paragraph (2) of this section an amount equal to the total assessments for such period or periods of service in the public day schools of any other state as he may elect, in no event aggregating more than ten years, which he would have paid, together with the interest which would have been credited on such assessments during said period or periods, if such service during the period or periods so elected had been rendered in the public day schools of the commonwealth, and thereby receive the same credit for the period or periods elected which he would have been allowed if such service had been so rendered; provided, that no period of such service shall be allowed to be so elected if thereby any period of such service more recently rendered would be excluded. A member enrolled prior to July first, nineteen hundred and thirty-seven, may, while in active service, pay in one sum into said annuity fund, at any time prior to July first, nineteen hundred and forty-two, the assessments with interest for prior service outside the commonwealth which he would have been permitted to pay had the provisions of this paragraph been in effect at the time he became a member or was reinstated a member of the association. A member who served as a regular teacher in the public day schools of the commonwealth prior to July first, nineteen hundred and fourteen, shall also receive credit for service rendered in the public day schools outside the commonwealth prior to that date as if it had been rendered within the commonwealth if he pays the assessments and interest, if any, permitted by this paragraph, but the total credit for service outside the commonwealth shall not exceed ten years. Any payment made under this paragraph shall become part of the assessments of the member making the same. The member shall furnish the board with such information as it shall require to determine the amount to be paid and the credit to be allowed under this section.

Payments
into fund.

Approved May 12, 1937.

AN ACT RELATIVE TO THE REPRESENTATION OF CANDIDATES *Chap. 303*
AT RECOUNTS OF BALLOTS CAST AT ELECTIONS.

Be it enacted, etc., as follows:

Section one hundred and thirty-five of chapter fifty-four of the General Laws is hereby amended by striking out the third paragraph, as appearing in chapter two hundred and seventy of the acts of nineteen hundred and thirty-three, and inserting in place thereof the following: —

G. L. (Ter.
Ed.), 54,
§ 135, etc.,
amended.

The registrars shall, before proceeding to recount the ballots, give not less than three days' written notice to each candidate who appears to have been elected to the office in question and to each candidate for such office specified in any statement filed under authority of this section, or to

Recounts,
representation
of candidates
at.

such person as shall be designated by the petitioners for a recount of ballots cast upon questions submitted to the voters, of the time and place of making the recount, and each such candidate or person representing petitioners as aforesaid shall be allowed to be present and to witness such recount at each table where a recount of the ballots affecting such candidate is being held, accompanied by counsel, if he so desires. Each such candidate or person may also be represented by agents, appointed by him in writing, sufficient in number to provide one such agent for each officer counting or checking such ballots; provided, that no such candidate or person may have more than one such agent, other than his counsel, witnessing the work of any one officer at any one time. In the case of a recount of ballots cast for offices which are filled by all the voters of the commonwealth, such notice may be given to the duly organized state political committees. In the case of a recount of the ballots cast upon a question submitted to all the voters as aforesaid, one representative from any committee organized to favor or to oppose the question so submitted shall be permitted to be present and witness the recount.

Approved May 12, 1937.

Chap.304 AN ACT MAKING UNIFORM THE PROCEDURE ON INTERSTATE
RENDITION.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 276, §§ 11-20, stricken out, and new §§ 11-20R, inserted.

Certain terms defined.

SECTION 1. Chapter two hundred and seventy-six of the General Laws, as amended, is hereby further amended by striking out the caption FUGITIVES FROM JUSTICE and sections eleven to twenty, inclusive, and inserting in place thereof, under the caption PROCEDURE ON INTERSTATE RENDITION, the following twenty-eight sections: — *Section 11.* Wherever appearing in sections eleven to twenty R, inclusive, the term "governor" includes any person performing the functions of governor by authority of the law of this commonwealth, the term "executive authority" includes the governor, and any person performing the functions of governor, in any other state, the term "surrender" refers to the arresting and delivering up of a person in this commonwealth to the executive authority of another state, and the term "state", referring to a state other than this commonwealth, refers to any other state or territory, organized or unorganized, of the United States.

Section 12. Subject to the provisions of sections eleven to twenty R, inclusive, the controlling provisions of the constitution of the United States, and any and all acts of congress enacted in pursuance thereof, the governor may cause to be arrested and delivered up to the executive authority of any other state any person charged in such other state with treason, felony or other crime, or with having been convicted of a crime in such other state and having escaped

Arrest and surrender of fugitive.

from confinement or having broken the terms of his bail, probation or parole, who is found in this commonwealth.

Section 13. The governor may also surrender, on demand of the executive authority of any other state, any person in this commonwealth charged in such other state in the manner provided in section fourteen with committing an act in this commonwealth, or in a third state, intentionally resulting in a crime in the state whose executive authority is making the demand, hereafter in this section and in sections fourteen to twenty P, inclusive, referred to as the demanding state, and the provisions of sections eleven to twenty R, inclusive, not otherwise inconsistent shall apply to such cases, even though the accused was not in the demanding state at the time of the commission of the crime.

Delivery of
fugitive on
demand.

The governor may surrender, on demand of the executive authority of any other state, any person in this commonwealth charged in the demanding state in the manner provided in section fourteen with having violated its laws, even though such person left such state involuntarily.

Section 14. No demand for the interstate rendition of a person charged with crime in another state shall be recognized by the governor unless it be in writing alleging either that the person demanded was present in the demanding state at the time of the commission of the alleged crime, or that such person committed in this commonwealth or in a third state an act intentionally resulting in a crime in the demanding state, or that such person has escaped from confinement or has broken the terms of his bail, probation or parole, nor unless such demand is accompanied by a copy of an indictment found, or of an information supported by affidavit, in the demanding state, or by a copy of an affidavit made before a magistrate of such state, and by a copy of the warrant which was issued thereon, or by a copy of a judgment of conviction or of a sentence imposed in execution thereof in the demanding state. The indictment or information, or the affidavit made before the magistrate who issued the warrant, shall substantially charge the person demanded with having committed a crime under the law of the demanding state, and the copy of the indictment, information, affidavit, judgment of conviction or sentence shall be authenticated by the executive authority of such state.

Demand to be
in writing.

Section 15. When a demand shall be made upon the governor by the executive authority of another state for the surrender of a person so charged with crime, the governor may call upon the attorney general or any other prosecuting officer to investigate or assist in investigating the demand, and to report to him the situation and circumstances of the person so demanded, and whether he ought to be surrendered.

Proceedings.

Section 16. If the governor decides that the demand should be complied with, he shall sign a warrant of arrest, sealed with the state seal and directed to an officer authorized to serve warrants in criminal cases or other person whom

Warrant,
governor
may sign.

the governor may think fit to entrust with the execution thereof. Such warrant shall substantially recite the facts necessary to the validity of its issue.

Arrest.

Section 17. Such warrant shall authorize the person to whom it is directed to arrest the accused at any time and any place where he may be found within this commonwealth and to command the aid of all officers authorized to serve warrants in criminal cases or other persons in the execution thereof, and to deliver the accused, subject to the provisions of said sections eleven to twenty R, inclusive, to the duly authorized agent of the demanding state.

Authority
of arresting
officer.

Section 18. Every such person empowered to make an arrest shall have the same authority, in arresting the accused, to command assistance therein, as officers have by law in the execution of any criminal process directed to them, with like penalties against those who refuse their assistance.

Opportunity
to apply for
writ of habeas
corpus.

Section 19. No person arrested upon such a warrant shall be delivered over to the agent whom the executive authority of the demanding state shall have appointed to receive him unless such person shall first be taken forthwith before a justice or special justice of a court of record of this commonwealth, who shall inform such person of the demand made for his surrender and of the crime with which he is charged, and that he has the right to demand and procure legal counsel; and, if the prisoner or his counsel shall state that he desires to test the legality of his arrest, such justice or special justice shall fix a reasonable time to be allowed the prisoner within which to apply for a writ of habeas corpus. When such writ is applied for, notice thereof, and of the time and place of hearing thereon, shall be given to the attorney general and to the district attorney for the district in which the arrest is made and for the district in which the accused is in custody, and to said agent of the demanding state.

Any officer who shall deliver to said agent of the demanding state a person in his custody under the warrant of the governor, in wilful disobedience of the provisions of this section, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than six months, or both.

Temporary
detention of
fugitive.

Section 20. The officer or other person executing the governor's warrant of arrest, or the agent of the demanding state to whom the prisoner shall have been delivered, may when necessary confine the prisoner in a jail or other place of detention in any county, city or town through which he may pass; and the keeper of such jail or place of detention shall receive and safely keep the prisoner until the officer or person having charge of him is ready to proceed on his journey, such officer or person being chargeable with the expense of keeping.

The officer or agent of a demanding state to whom a prisoner shall have been delivered following interstate rendition proceedings in another state, or to whom a prisoner

shall have been delivered after waiving interstate rendition in another state, and who is passing through this commonwealth with such a prisoner for the purpose of immediately returning such prisoner to the demanding state may, when necessary, confine the prisoner in a jail or other place of detention in any county, city or town through which he may pass; and the keeper of such jail or other place of detention shall receive and safely keep the prisoner until the officer or agent having charge of him is ready to proceed on his journey, such officer or agent being chargeable with the expense of keeping; provided, that such officer or agent shall produce and show to such keeper satisfactory written evidence that he is actually transporting such prisoner to the demanding state pursuant to a requisition by the executive authority thereof, or that such prisoner has waived interstate rendition. No prisoner being transported pursuant to such a requisition or waiver shall be entitled to demand a new requisition while in this commonwealth.

Section 20A. Whenever any person within this commonwealth shall be charged, on the oath of any credible person before any court or justice in this commonwealth authorized to issue warrants in criminal cases, with the commission of any crime in any other state, including cases arising under section thirteen, or with having been convicted in such other state and having escaped from confinement or having broken the terms of his bail, probation or parole, or whenever complaint shall have been made before any such court or justice in this commonwealth setting forth, on the affidavit of any credible person in another state, that a crime has been committed in such other state and that a person has been charged in such state with the commission of a crime, including cases arising under section thirteen, or with having been convicted of a crime in that state and having escaped from confinement or having broken the terms of his bail, probation or parole, and is believed to be in this commonwealth, such court or justice may issue a warrant directed to any officer authorized to serve warrants in criminal cases commanding him to apprehend the person named therein, wherever he may be found in this commonwealth, and bring him before the same or any other such court or justice convenient of access to the place where the arrest may be made, to answer the charge or complaint and affidavit; and a certified copy of the sworn charge or complaint and affidavit upon which the warrant is issued shall be attached to the warrant.

Warrant
by court.

Section 20B. The arrest of a person may be lawfully made also by any officer authorized to serve warrants in criminal cases, without a warrant, upon reasonable information that the accused stands charged in another state with a crime punishable by death or by imprisonment for a term exceeding one year, but when so arrested the accused shall be taken with all practicable speed before a court or justice authorized to issue warrants in criminal cases and complaint

Arrest without
warrant
in certain
cases.

shall be made against him under oath setting forth the ground for the arrest as in the preceding section; and thereafter his answer shall be heard as if he had been arrested on a warrant.

Examination
and commit-
ment.

Section 20C. If from the examination before such court or justice it appears that the person held is the person charged with having committed the crime alleged, including cases arising under section thirteen, or is the person charged with having been convicted of a crime and having escaped from confinement or having broken the terms of his bail, probation or parole, such court or justice shall, by a warrant reciting the accusation, commit him to a jail or house of correction for such time, not exceeding thirty days and specified in the warrant, as will enable the arrest of the accused to be made under a warrant of the governor, on a requisition of the executive authority of the state having jurisdiction of the crime, unless the accused gives bail as provided in the following section, or until he shall be legally discharged.

Recognizance.

Section 20D. Unless the offence with which the person arrested is charged is shown to be an offence punishable by death or life imprisonment under the laws of the state in which it was committed, such court or justice may admit such person to bail by bond or undertaking, with sufficient sureties, and in such sum as such court or justice deems proper, conditioned for his appearance before such court or justice, at a time specified in such bond or undertaking, and for his surrender to be arrested upon the warrant of the governor.

Proceedings
and dis-
charge.

Section 20E. If the accused has not been arrested under warrant of the governor at the expiration of the time specified in such warrant, bond or undertaking, such court or justice may discharge him or may recommit him for a further period of sixty days, or may again take bail for his appearance and surrender, as provided in the preceding section, but within a period not to exceed sixty days following the date of such new bond or undertaking.

Commitment
on failure
to appear.

Section 20F. If the accused is admitted to bail, and fails to appear and surrender himself according to the conditions of his bond or undertaking, such court or justice, by proper order, shall declare the bond or undertaking forfeited and order his immediate arrest without warrant if he be within this commonwealth. Recovery may be had on such bonds or undertakings in the name of the commonwealth as in the case of other bonds or undertakings given by persons accused in criminal proceedings within this commonwealth.

Refusal to
surrender if
criminal pro-
ceedings are
pending in this
commonwealth.

Section 20G. If a criminal prosecution has been instituted against such person under the laws of this commonwealth and is still pending, the governor, in his discretion, may either surrender him on the demand of the executive authority of another state, or hold him until the final disposition of such prosecution or, if convicted and sentenced, until his discharge from imprisonment.

Section 20H. The guilt or innocence of the accused as to the crime of which he is charged may not be inquired into by the governor, or in any proceeding after the demand for interstate rendition accompanied by a charge of crime in legal form as provided in section fourteen shall have been presented to the governor, except as it may be involved in identifying the person held as the person charged with the crime.

Guilt of accused not to be inquired into pending rendition.

Section 20I. The governor, whenever he deems proper, may recall his warrant of arrest or may issue another warrant.

Recall of warrant.

Section 20J. Any person arrested in this commonwealth charged with having committed any crime in another state or with having been convicted in another state and having escaped from confinement or having broken the terms of his bail, probation or parole, may waive the issuance and service of the warrant provided for in sections sixteen and seventeen and all other procedure incidental to interstate rendition proceedings, by executing or subscribing in the presence of any court or justice of this commonwealth authorized to issue warrants in criminal cases a writing which states that he consents to return to the demanding state; provided, that if such waiver shall be executed or subscribed by such person it shall be the duty of such court or justice to inform such person of his rights to the issuance and service of a warrant in interstate rendition and to obtain a writ of habeas corpus as provided in section nineteen. If and when such consent has been duly executed it shall forthwith be forwarded to the office of the governor and filed therein. Such court or justice shall direct the officer having such person in custody to deliver forthwith such person to the duly accredited agent of the demanding state, and shall deliver or cause to be delivered to such agent a copy of such consent; provided, that nothing in this section shall be deemed to limit the right of the accused person to return voluntarily and without formality to the demanding state, nor shall the foregoing waiver procedure be deemed to be an exclusive procedure or to limit the powers, rights or duties of the officers of the demanding state or of this commonwealth.

Waiver of warrant.

Section 20K. Whenever the governor shall demand a person charged with crime in this commonwealth, or one charged with having been convicted in this commonwealth and having escaped from confinement or having broken the terms of his bail, probation or parole, from the chief executive of any other state, or from the chief justice or an associate justice of the supreme court of the District of Columbia authorized to receive such demand under the laws of the United States, he may issue a warrant, under the seal of this commonwealth, to some agent, commanding him to receive the person so charged if delivered to him, and convey him to the proper officer of the county in which the crime was committed.

Issuance of warrant to agent without the commonwealth.

Whenever it is desired to have returned to this commonwealth a person charged herein with a crime, or with having been convicted in this commonwealth and having escaped from confinement or having broken the terms of his bail, probation or parole, and such person is imprisoned or is held under criminal proceedings then pending against him in another state, the governor may agree with the executive authority of such other state for the interstate rendition of such person before the conclusion of such proceedings or of his term of sentence in such other state, upon such conditions relative to the return of such person to such other state at the expense of this commonwealth as may be agreed upon between the governor and the executive authority of such other state.

Proceedings
in respect to
return of per-
son accused
of crime.

Section 20L. (a) Whenever the return to this commonwealth of a person charged with crime herein is required, the attorney general, or the district attorney for the district in which the crime is alleged to have occurred, shall present to the governor his written application for a requisition for the return of the person charged, in which application there shall be included a statement of the name of the person so charged and the crime charged against him, the approximate time, place and circumstances of its commission, the state in which he is believed to be, including the location of the accused therein, at the time the application is made, and a certificate that, in the opinion of the said attorney general or district attorney, the ends of justice require the arrest and return of the accused to this commonwealth for trial, and that the proceeding is not instituted to enforce a private claim.

Application for
the return of
fugitive.

(b) Whenever the return to this commonwealth is required of a person who has been convicted of a crime herein and has escaped from confinement or has broken the terms of his bail, probation or parole, the district attorney for the district in which the crime is alleged to have occurred, the parole board or the warden or superintendent of the institution from which escape was made, shall present to the governor a written application for a requisition for the return of such person, in which application shall be stated the name of the person, the crime of which he was convicted, the circumstances of his escape from confinement or of the breach of the terms of his bail, probation or parole, and the state in which he is believed to be, including the location of the person therein, at the time the application is made.

Form of.

(c) The application shall be verified by affidavit, shall be executed in duplicate and shall be accompanied by two certified copies of the indictment returned, or of the complaint made to a court or justice, stating the offence with which the accused is charged, or of the judgment of conviction or of the sentence. The attorney general, district attorney, parole board, warden or superintendent may also attach such further affidavits or other documents in duplicate as he or it may deem proper to be submitted with such application. One

copy of the application, with the action of the governor indicated by endorsement thereon, and one of the certified copies of the indictment or complaint, or of the judgment of conviction or of the sentence shall be filed in the office of the state secretary to remain of record in that office. The other copies of all such papers shall be forwarded with the requisition of the governor.

Section 20M. If the application for a requisition for the return to this commonwealth of a person charged with crime herein, or for the return of a person who has been convicted of a crime herein and has escaped from confinement or has broken the terms of his bail, probation or parole, is complied with and an agent appointed, the account of such agent shall be paid like other expenses in criminal cases by the county where the proceedings are pending or, in the case of the escape from confinement of a prisoner under sentence, by the commonwealth; but the governor may direct the whole or any part thereof to be paid by the commonwealth.

Expenses.

Section 20N. A person brought into this commonwealth on, or after waiver of, interstate rendition based on a criminal charge shall not be subject to service of personal process in civil actions arising out of the same facts as the criminal proceeding to answer which he is being or has been returned, until he has been convicted or acquitted in the criminal proceeding, and, if acquitted, until he has had reasonable opportunity to return to the state from which he was brought by interstate rendition proceedings or upon waiver thereof.

Person returning on waiver not to be subject to suit in certain civil actions.

Section 20O. After a person has been brought into this commonwealth by interstate rendition proceedings or upon waiver thereof he may be tried herein for other crimes which he may be charged with having committed herein, as well as that specified in the requisition for his interstate rendition or in the waiver thereof.

Accused may be tried for other offences.

Section 20P. Nothing in sections eleven to twenty O, inclusive, shall be deemed to constitute a waiver by this commonwealth of its right, power or privilege to try any person demanded of it for a crime committed herein, or of its right, power or privilege to regain custody of such a person by interstate rendition proceedings or otherwise for the purpose of trial, sentence or punishment for any crime committed herein, nor shall any proceeding under said sections which result in, or fail to result in, interstate rendition be deemed a waiver by this commonwealth of any of its rights, privileges or jurisdiction in any way whatsoever.

Sections 11 to 20O not to affect rights of commonwealth.

Section 20Q. If any part of sections eleven to twenty P, inclusive, is for any reason declared void, such invalidity shall not affect the validity of the remaining portions of said sections.

Effect of invalidity of parts of law.

Section 20R. Sections eleven to twenty R, inclusive, may be cited as the uniform criminal interstate rendition law, and shall be so interpreted and construed as to effectuate their general purpose to make uniform the law of those states enacting similar laws.

Sections, how cited.

Copies of
act to be sent
to other states.

SECTION 2. As soon as practicable after this act has the force of law, the state secretary shall certify a copy thereof to the executive department of each of the states of the United States.

Effective
date.

SECTION 3. This act shall take effect on October first in the current year.

Approved May 12, 1937.

Chap.305 AN ACT RELATIVE TO FEES FOR SEALING CERTAIN SCALES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 98,
§ 56, etc.,
amended.

SECTION 1. Section fifty-six of chapter ninety-eight of the General Laws, as most recently amended by chapter seventy-four of the acts of the current year, is hereby further amended by inserting after paragraph (b) the following new paragraph:— (b $\frac{1}{2}$) Each scale with a weighing capacity of one hundred to five thousand pounds, fifty cents.

Fees of
sealers.

Effective
date.

SECTION 2. This act shall take effect on June second of the current year.

Approved May 18, 1937.

Chap.306 AN ACT VALIDATING AN ORDINANCE OF THE CITY OF NORTH ADAMS FIXING A TAX LIMIT IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. A certain measure fixing a tax limit in the city of North Adams, passed to be ordained by the city council of said city on April thirtieth, nineteen hundred and thirty-seven, and approved by the mayor of said city on said date, is hereby validated and confirmed as an ordinance of said city, in so far as it may be invalid by reason of any failure to fully comply with section twenty-nine of chapter forty-four of the General Laws with respect to the holding of a public hearing prior to the fixing of a tax limit under said section.

SECTION 2. This act shall take effect upon its passage.

Approved May 18, 1937.

Chap.307 AN ACT PROVIDING FOR THE ENTRY OF THIS COMMONWEALTH INTO COMPACTS WITH ANY OF THE UNITED STATES FOR MUTUAL HELPFULNESS IN RELATION TO PERSONS CONVICTED OF CRIMES OR OFFENCES WHO ARE ON PROBATION OR PAROLE.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and twenty-seven of the General Laws, as amended, is hereby further amended by inserting after section one hundred and fifty-one, under the heading INTERSTATE SUPERVISION OF PROBATIONERS AND PAROLEES, the seven following new sections: — *Section 151A.* The governor, on behalf of this commonwealth, is hereby authorized to enter into a compact, substantially in the following form, with any of the United States legally joining therein and the general court hereby signifies in advance its approval and ratification of such a compact so entered into, such approval and ratification to be effective upon the filing of a copy of such compact in the office of the state secretary:

G. L. (Ter. Ed.), 127, new §§ 151A-151G, added.

Interstate compact.

A COMPACT.

Entered into by and among the contracting states, signatories hereto, with the consent of the Congress of the United States of America, granted by an act entitled "An Act granting the consent of congress to any two or more states to enter into agreements or compacts for co-operative effort and mutual assistance in the prevention of crime and for other purposes".

Form of authority of governor.

The contracting states solemnly agree:

(1) That it shall be competent for the duly constituted judicial and administrative authorities of a state which is a party to this compact and wherein any person has been convicted of an offence and placed on probation or released on parole, herein called the sending state, to permit such person to reside while on probation or parole in any other state which is a party to this compact, herein called the receiving state, if (a) it appears to such judicial or administrative authorities that such person is a resident of or has his family residing within the receiving state and can obtain employment there, or if (b) the receiving state, by its governor or a person thereto authorized by him, consents to his being sent there; provided, that, in either case, before such permission is granted by the sending state, opportunity shall have been afforded to the receiving state to investigate the home and prospective employment of such person.

A resident of the receiving state, within the meaning of clauses (a) and (b) hereof, is one who has been an actual inhabitant of such state continuously for more than one year prior to his coming to the sending state and has not resided within the sending state more than six consecutive months immediately preceding the commission of the offence of which he has been convicted. The word "parole", as used in this compact, shall include parole, permit to be at liberty, and any other method of release under supervision, after sentence, from confinement in any penal or reformatory institution, and the word "parolee" shall include any person so released.

(2) That each receiving state will assume the duties of visitation of and supervision over probationers and parolees of any sending state and in the exercise of those duties will be governed by the same standards that prevail for its own probationers and parolees.

(3) That duly accredited officers of the sending state may at all times enter the receiving state and there apprehend and retake any probationer or parolee. For that purpose no formalities shall be required other than establishing the authority of the officer and the identity of the person to be retaken. All legal requirements to obtain rendition of fugitives from justice are hereby expressly waived. The decision of the sending state to retake a probationer or parolee shall be conclusive upon and not reviewable within the receiving state; provided, that if, at the time when a state seeks to retake a probationer or parolee, there shall be pending against him within the receiving state any criminal charge, or he shall be suspected of having committed within such state a criminal offence, he shall not be retaken without the consent of the receiving state, by its governor or a person thereto authorized by him, until his prosecution therein for such offence has terminated in his favor or he has been discharged from imprisonment following conviction thereof.

(4) That the duly accredited officers of the sending state will be permitted to transport prisoners being retaken through any and all states parties to this compact, without interference.

(5) That the governor of each contracting state may designate an officer who, acting jointly with like officers of other contracting states, if and when appointed, shall promulgate such rules and regulations as may be deemed necessary to more effectively carry out the terms of this compact.

(6) That this compact may be ratified by any state in the manner provided by the laws of such state, or, in the absence of such law, by its legislature, and that upon ratification by two or more states this compact shall have the full force and effect of law within each ratifying state and shall become operative as between the several states so ratifying it.

(7) That this compact shall continue in force and remain binding upon each ratifying state until renounced by it as hereinafter set forth; provided, that the duties and obligations hereunder of a receiving state renouncing this compact shall continue, as to each parolee and each probationer sent under authority hereof to such state and residing therein at the time of the renunciation, until he is retaken by the sending state or his parole or probation is otherwise terminated, or he voluntarily returns to the sending state or with its consent removes to a third state. Renunciation of this compact by any state which is a party hereto may be effected by the authority acting on behalf of such state in the ratification hereof, but such renunciation shall not be effective with respect to any other state which

is a party hereto until after six months' notice given in writing to such other state.

Section 151B. Subject to the terms of paragraph (1) of the compact authorized by section one hundred and fifty-one A, any judicial officer of this commonwealth authorized to place persons on probation may by order permit any person then or theretofore placed on probation by his court to reside in any other state between which and this commonwealth there shall be in force a compact so authorized, and may at any time revoke or modify such order.

Persons on parole or probation may be permitted to live outside the commonwealth.

Section 151C. Subject to the terms of paragraph (1) of the compact authorized by said section one hundred and fifty-one A, any officer or board of this commonwealth authorized by law to release prisoners on parole or on permit to be at liberty may at any time permit any prisoner then or theretofore so released by him or it to reside in any other state between which and this commonwealth there shall be in force a compact so authorized, and may at any time revoke such permission or permit such parolee to remove to another such state.

Same subject.

Section 151D. Upon ratification by two or more states, including this commonwealth, of a compact authorized by said section one hundred and fifty-one A, said compact shall have the force of law in this commonwealth.

Ratification of compact.

Section 151E. All rules and regulations made by authority of paragraph (5) of said compact, if consistent with the laws of this commonwealth, shall have the force of law herein, and all officers whose offices are established under the laws of this commonwealth, to whom powers shall be given and upon whom duties shall be imposed by such rules and regulations, shall have and exercise the powers so given and shall perform the duties so imposed.

Force and effect of rules and regulations.

Section 151F. If any section, sentence, subdivision or clause of sections one hundred and fifty-one A to one hundred and fifty-one F, inclusive, is for any reason held unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of said sections.

Effect of invalidity of sections of law.

Section 151G. Sections one hundred and fifty-one A to one hundred and fifty-one G, inclusive, may be cited as the out-of-state probationer and parolee supervision law.

How cited.

SECTION 2. As soon as practicable after this act has the force of law, the state secretary shall certify a copy thereof to the executive department of each of the states of the United States.

Act to be sent to other states.

Approved May 18, 1937.

AN ACT RELATIVE TO THE APPOINTMENT OF A KEEPER OF PERSONAL PROPERTY WHICH HAS BEEN ATTACHED. *Chap. 308*

Be it enacted, etc., as follows:

Chapter two hundred and twenty-three of the General Laws is hereby amended by striking out section forty-eight, as appearing in the Tercentenary Edition, and in-

G. L. (Ter. Ed.), 223, § 48, amended.

Keeper of
attached
property.

serting in place thereof the following: — *Section 48.* The officer, if necessary and if authorized by written permission endorsed upon the writ and signed by a justice, associate justice or special justice of the court in which the action is commenced, may appoint a keeper of personal property which has been attached. The officer, if necessary, may appoint a keeper of personal property which has been taken on execution. In either of the aforesaid cases he shall, upon the written request of the defendant, remove such property or the keeper without unreasonable delay. Costs in an action in which a keeper has been appointed shall be at the discretion of the court.

Approved May 18, 1937.

Chap.309 AN ACT AUTHORIZING THE CITY OF REVERE TO RETIRE
ALBERT J. BROWN.

Be it enacted, etc., as follows:

SECTION 1. The city of Revere may retire Albert J. Brown, the city clerk of said city, who for more than thirty-six years has been in the service of said city, on an annual pension equal to one half the rate of compensation paid him at the time of his retirement.

SECTION 2. This act shall take effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter.

Approved May 18, 1937.

Chap.310 AN ACT MAKING MORE EFFECTIVE THE PROCEDURE FOR THE
COLLECTION OF SMALL CLAIMS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 218, § 22,
amended.

Section twenty-two of chapter two hundred and eighteen of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the eleventh line, the period and the word "The" and inserting in place thereof the following: — and authority in the court, in its discretion, after proper inquiry, to order payment to the prevailing party of the amount found due on or before a day stated or by instalments, to modify, extend or vacate such order and, in its discretion, to enforce such order by contempt proceedings, substantially in the manner provided in chapter two hundred and twenty-four, and to provide therefor in the rules for the procedure. Said, — so as to read as follows: — *Section 22.* The procedure shall include the beginning of actions with an entry fee of one dollar but without writ, and without requirement, except by special order of court, of other pleading than a statement to the clerk or an assistant clerk, who shall reduce the same to concise written form in a docket kept for the purpose. The procedure shall include notice by registered mail instead of the mode of service heretofore required, and shall include

Small claims
procedure.

provisions for early hearing. The procedure may include the modification of any or all rules of pleading and practice, anything contained in other chapters, sections or acts notwithstanding, and may include a stay of the entry of judgment or of the issue of execution and authority in the court, in its discretion, after proper inquiry, to order payment to the prevailing party of the amount found due on or before a day stated or by instalments, to modify, extend or vacate such order and, in its discretion, to enforce such order by contempt proceedings, substantially in the manner provided in chapter two hundred and twenty-four, and to provide therefor in the rules for the procedure. Said rules for the procedure may provide for the elimination of any or all fees and costs, and that costs shall be in the discretion of the court. In causes begun under the procedure, the court may on application for cause shown issue writs of attachment of property or person as in causes begun by writ.

Approved May 18, 1937.

AN ACT RELATIVE TO WITHDRAWAL OF APPEALS IN CRIMINAL CASES. *Chap. 311*

Be it enacted, etc., as follows:

Section twenty-five of chapter two hundred and seventy-eight of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "business" in the second line the words:—and at any time thereafter if no action shall have been taken by the superior court except continuance,—so as to read as follows:—*Section 25.* The appellant may, at any time before the next sitting of the superior court for criminal business and at any time thereafter if no action shall have been taken by the superior court except continuance, come personally before the court or trial justice from whose judgment the appeal was taken and withdraw his appeal. If the appellant has been committed, the officer in charge of the jail, within forty-eight hours after his commitment, shall notify him of his right to withdraw his appeal and shall furnish him with a blank form of withdrawal, which, if signed by him, shall be witnessed by said officer; thereupon, or if prior to said notice the appellant notifies the said officer of his desire to withdraw his appeal, the said officer shall forward the defendant, with the signed form of withdrawal, to the court or trial justice before whom the appeal was taken. In such case the court or trial justice may order the appellant to comply with the sentence appealed from, in the same manner as if it were then first imposed, or may revise or revoke the same if satisfied that cause for such revision or revocation exists; provided, that the court or trial justice shall not increase the sentence as first imposed, and if sureties had recognized with the appellant to prosecute his appeal they shall be discharged. If the copy of the record

G. L. (Ter.
Ed.), 278,
§ 25, amended.

Withdrawal
of appeals
in criminal
cases.

of conviction has been transmitted to the superior court, the court or trial justice shall notify the clerk of the superior court of the withdrawal of the appeal, who shall thereupon make a memorandum thereof upon the record of the superior court.

Approved May 18, 1937.

Chap.312 AN ACT PERMITTING CERTAIN FIDUCIARIES TO INVEST FUNDS IN CERTAIN INSURANCE POLICIES AND ANNUITY CONTRACTS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 201, new section 47A, added.

Guardians, etc., investment of funds in insurance contracts, etc.

SECTION 1. Chapter two hundred and one of the General Laws is hereby amended by inserting after section forty-seven, as appearing in the Tercentenary Edition, the following new section:— *Section 47A*. The probate court, upon the application of a guardian, may authorize him to invest income or principal of the estate of his ward in policies of life or endowment insurance or annuity contracts, issued by a life insurance company duly authorized to transact business in the commonwealth under chapter one hundred and seventy-five, on the life of the ward or on the life of a person in whose life the ward has an insurable interest.

G. L. (Ter. Ed.), 203, new section 25A, added.

Trustees may invest funds in insurance contracts, etc.

SECTION 2. Chapter two hundred and three of the General Laws is hereby amended by inserting after section twenty-five, as appearing in the Tercentenary Edition, under the heading PURCHASE OF INSURANCE POLICIES OR ANNUITY CONTRACTS, the following new section:— *Section 25A*. The probate court, upon petition of a trustee under a will or other instrument may, if the trust does not otherwise provide, authorize the trustee to invest the income or principal of the trust fund in policies of life or endowment insurance or annuity contracts, issued by a life insurance company duly authorized to transact business in the commonwealth under chapter one hundred and seventy-five, on the life of any beneficiary of the trust or on the life of any person in whose life such beneficiary has an insurable interest.

Approved May 18, 1937.

Chap.313 AN ACT AUTHORIZING THE REDIVISION OF THE CITY OF NEW BEDFORD INTO WARDS AND VOTING PRECINCTS FOR THE PURPOSES OF MUNICIPAL ELECTIONS THEREIN.

Be it enacted, etc., as follows:

In the current year, the city of New Bedford, by vote of its city council, may make a redivision of its territory into such number of wards as may be fixed by law. The boundaries of such wards shall be so arranged that the wards shall contain, as nearly as can be ascertained and as may be consistent with well defined limits for each ward, an equal number of voters. After such a redivision, the city clerk shall forthwith give written notice to the state secretary of

the number and designations of the wards so established, together with an official copy of the description of said wards. For the purposes of this act, the registrars of voters, the assessors and any other board or officer of said city, including the police department, may, and upon request of said city council shall, consult with it and furnish to it all facts and information requested within their control or knowledge, and all the resources and facilities of said city boards or officers, or any of them, shall be available to said city council. As soon as may be after a redivision into wards as authorized by this act, the city council shall divide such city into voting precincts, conformably to section two of chapter fifty-four of the General Laws. Any redivision made hereunder shall take effect on January first, nineteen hundred and thirty-eight, and shall be used only for municipal elections in said city until a redivision into wards is made as provided by section one of said chapter fifty-four.

Approved May 18, 1937.

AN ACT AUTHORIZING THE PAYMENT OF MOTOR VEHICLE INSURANCE PREMIUMS IN INSTALMENTS. *Chap.314*

Be it enacted, etc., as follows:

Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section one hundred and ninety-three A, as appearing in the Tercenary Edition, the following new section: — *Section 193B.* Insurance companies may accept payment of motor vehicle insurance premiums in instalments under plans, rates and charges approved by the commissioner as equitable and non-discriminatory.

Approved May 18, 1937.

G. L. (Ter. Ed.), 175, new section 193B, added.

Instalment payments of motor vehicle insurance premiums.

AN ACT RELATIVE TO CONTRACTS OF CONDITIONAL SALE OF HOUSEHOLD FURNITURE OR OTHER HOUSEHOLD OR PERSONAL EFFECTS EXCEPT JEWELRY. *Chap.315*

Be it enacted, etc., as follows:

Chapter two hundred and fifty-five of the General Laws is hereby amended by inserting after section thirteen B, inserted by chapter three hundred and ninety-six of the acts of nineteen hundred and thirty-five, the following two new sections: — *Section 13C.* Each conditional sale which includes one or more articles of household furniture or other household or personal effects, except jewelry, shall be embodied in a single written contract. When a payment is made by the vendee under the terms of any such contract, such payment shall be endorsed on the contract or on the promissory note which is evidence of the obligation of the vendee or shall be set forth on a receipt given to the vendee. Such receipt shall include the amount of the payment made and the balance due on the contract, with a specific identification of the contract to which the payment is applied.

G. L. (Ter. Ed.), 255, new sections 13C, 13D, added.

Conditional sale contracts of household furniture.

Penalty.

Section 13D. Violation of any provision of section thirteen C shall be punished by a fine of not less than one hundred nor more than five hundred dollars.

Approved May 18, 1937.

Chap.316 AN ACT EXTENDING THE CLOSE SEASON ON HARES AND RABBITS IN CERTAIN COUNTIES AND FURTHER REGULATING THE HUNTING OR POSSESSION OF RABBITS IN NANTUCKET COUNTY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 131, § 94, etc., amended.

Close season on hares, etc.

Chapter one hundred and thirty-one of the General Laws is hereby amended by striking out section ninety-four, as most recently amended by chapter one hundred and seventy-two of the acts of the current year, and inserting in place thereof the following:—*Section 94.* No person, otherwise than as provided in section ninety-six, shall hunt or have in possession the carcass of a hare or rabbit, except between November twentieth and the last day of February, both inclusive, in Nantucket county, or between November fifteenth and February fifteenth, both inclusive, in Dukes county, or between October twentieth and February first, both inclusive, in any other county, or during such open seasons kill or have in possession the carcasses of more than two northern varying hares, otherwise known as Canada hares, snow-shoe rabbits or white rabbits, or more than five rabbits, or in Nantucket county more than three rabbits, in any one day. This section shall not apply to European hares in the county of Berkshire, which may be taken or killed at any time.

Approved May 18, 1937.

Chap.317 AN ACT REQUIRING INSURERS UNDER THE WORKMEN'S COMPENSATION ACT TO PAY THE COST OF APPOINTMENT OF GUARDIANS AND CONSERVATORS OF EMPLOYEES OR DEPENDENTS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 152, § 39, amended.

Section thirty-nine of chapter one hundred and fifty-two of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the last two sentences and inserting in place thereof the following:—When the appointment of a legal representative of a deceased employee or dependent, or the appointment of a guardian or conservator of an employee or dependent who is a minor or is insane or is otherwise legally incapacitated, is required to comply with this chapter, the insurer shall furnish or pay for legal services rendered in connection with the appointment of such legal representative, guardian or conservator or in connection with his duties, and shall pay the necessary disbursements for such appointment, the necessary expenses of such legal representative, guardian or con-

servator, and reasonable compensation to him for time necessarily spent in complying therewith. Said payments shall be in addition to sums paid for compensation, — so as to read as follows:— *Section 39.* The compensation payable in case of the death of the injured employee shall be paid to his legal representative; or, if he has no legal representative, to his dependents; or, if he leaves no dependents, to the persons to whom payment of the expenses for the last sickness and burial is due. If payment is made to the legal representative of the deceased employee, it shall be paid by him to the dependents or other persons entitled thereto under this chapter. When the appointment of a legal representative of a deceased employee or dependent, or the appointment of a guardian or conservator of an employee or dependent who is a minor or is insane or is otherwise legally incapacitated, is required to comply with this chapter, the insurer shall furnish or pay for legal services rendered in connection with the appointment of such legal representative, guardian or conservator or in connection with his duties, and shall pay the necessary disbursements for such appointment, the necessary expenses of such legal representative, guardian or conservator, and reasonable compensation to him for time necessarily spent in complying therewith. Said payments shall be in addition to sums paid for compensation.

Payments in
case of death.

Approved May 18, 1937.

AN ACT AUTHORIZING EXPENDITURES OF MONEY BY THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY FOR THE PURPOSE OF PROMOTING THE RECREATIONAL ADVANTAGES OF SAID COUNTY.

Chap. 318

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Barnstable county may, for the purpose of advertising the recreational advantages of said county, expend such sums, not exceeding twenty-five thousand dollars in any one year, as may be appropriated therefor; provided, that such expenditures from money so appropriated shall not at any time be more than twice the sum which shall have been contributed by public subscription or by donation deposited with the county treasurer for the purpose aforesaid. Said commissioners shall expend such sums only for advertising in newspapers, magazines and the like, or for booklets, posters or other forms of advertising. In carrying out the provisions of this act the commissioners may designate an agent or agents to act for them; provided, that all bills incurred shall be accompanied by proper vouchers and shall be paid by the county treasurer only on warrants approved by the county commissioners or a majority of them.

SECTION 2. This act shall take effect upon its acceptance by a majority of the county commissioners of said county.

Approved May 19, 1937.

Chap.319 AN ACT SUBJECTING THE OFFICE OF COMMISSIONER OF SOLDIERS' RELIEF AND STATE AND MILITARY AID OF THE CITY OF LOWELL TO THE CIVIL SERVICE LAWS.

Be it enacted, etc., as follows:

SECTION 1. The office of commissioner of soldiers' relief and state and military aid of the city of Lowell shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations, and the term of office of any incumbent thereof shall be unlimited, subject, however, to such laws; but the person holding said office on said effective date may continue therein without taking a civil service examination.

SECTION 2. This act shall be submitted for acceptance to the registered voters of the city of Lowell at its city election in the current year in the form of the following question which shall be placed upon the official ballot to be used at said election: — "Shall an act passed by the general court in the year nineteen hundred and thirty-seven, entitled 'An Act subjecting the Office of the Commissioner of Soldiers' Relief and State and Military Aid of the City of Lowell to the Civil Service Laws', be accepted?" If a majority of the voters voting thereon vote in the affirmative in answer to said question, this act shall thereupon take full effect, but not otherwise.

Approved May 19, 1937.

Chap.320 AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF CERTAIN COUNTIES, FOR INTEREST AND DEBT REQUIREMENTS, FOR CERTAIN PERMANENT IMPROVEMENTS, AND GRANTING A COUNTY TAX FOR SAID COUNTIES.

Emergency
preamble.

Whereas, The deferred operation of this act would cause substantial inconvenience, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The following sums are hereby appropriated for the counties hereinafter specified for the year nineteen hundred and thirty-seven. No direct drafts against the account known as the reserve fund shall be made, but transfers from this account to other accounts may be made to meet extraordinary or unforeseen expenditures upon the request of the county commissioners and with the approval of the director of accounts.

SECTION 2.

Barnstable County.

Item		
1	For interest on county debt, a sum not exceeding six thousand seventy-one dollars and twenty-five cents	\$6,071 25
2	For reduction of county debt, a sum not exceeding thirty-nine thousand dollars	39,000 00

Item		
3	For salaries of county officers and assistants, a sum not exceeding twenty-two thousand four hundred and fifty dollars	\$22,450 00
4	For clerical assistance in county offices, a sum not exceeding thirteen thousand one hundred and eighty dollars	13,180 00
5	For salaries and expenses of district courts, a sum not exceeding twenty-four thousand seven hundred and fifty-five dollars	24,755 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding thirty-six thousand dollars	36,000 00
7	For criminal costs in superior court, a sum not exceeding fifteen thousand five hundred dollars	15,500 00
8	For civil expenses in supreme judicial, superior, probate and land courts, a sum not exceeding seven thousand five hundred dollars	7,500 00
10	For transportation and expenses of county and associate commissioners, a sum not exceeding one thousand five hundred dollars	1,500 00
11	For medical examiners, inquests and commitments of insane, a sum not exceeding one thousand seven hundred and fifty dollars	1,750 00
12	For auditors, masters and referees, a sum not exceeding three thousand five hundred dollars	3,500 00
13	For building county buildings and purchase of land, a sum not exceeding two thousand dollars	2,000 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding nine thousand three hundred and seventy-five dollars	9,375 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding seventeen thousand seven hundred and sixty-two dollars	17,762 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding sixty-six thousand four hundred and fifty dollars	66,450 00
17	For law libraries, a sum not exceeding seven hundred dollars	700 00
18	For the training school, a sum not exceeding two hundred and fifty dollars	250 00
19	For county aid to agriculture, a sum not exceeding seventeen thousand six hundred and eighty dollars	17,680 00
20	For the sanatorium, a sum not exceeding sixty-one thousand three hundred and forty dollars	61,340 00
20a	For county health service, a sum not exceeding ten thousand seven hundred and thirty-five dollars	10,735 00
21	For state fire patrol, a sum not exceeding one thousand three hundred dollars	1,300 00
22	For pensions, a sum not exceeding three thousand dollars	3,000 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding three thousand six hundred and fifteen dollars	3,615 00
23a	For unpaid bills of previous years, a sum not exceeding six hundred two dollars and twenty-three cents	602 23
23b	For a police training school, a sum not exceeding one thousand dollars	1,000 00
23c	For a Works Progress Administration recreation project, a sum not exceeding two hundred and fifty dollars	250 00
24	For a reserve fund, a sum not exceeding seven thousand five hundred dollars	7,500 00

Item

And the county commissioners of Barnstable county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of two hundred seventy thousand five hundred sixty-four dollars and thirty-nine cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes . . . \$270,564 39

Berkshire County.

1	For interest on county debt, a sum not exceeding one thousand three hundred eighteen dollars and seventy-five cents	\$1,318 75
2	For reduction of county debt, a sum not exceeding seventeen thousand dollars	17,000 00
3	For salaries of county officers and assistants, a sum not exceeding twenty-nine thousand seven hundred twenty dollars	29,720 00
4	For clerical assistance in county offices, a sum not exceeding fifteen thousand dollars	15,000 00
5	For salaries and expenses of district courts, a sum not exceeding forty-six thousand dollars	46,000 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding forty-one thousand dollars	41,000 00
7	For criminal costs in superior court, a sum not exceeding fifteen thousand dollars	15,000 00
8	For civil expenses in supreme judicial, superior, probate and land courts, a sum not exceeding thirteen thousand dollars	13,000 00
10	For transportation and expenses of county and associate commissioners, a sum not exceeding two thousand dollars	2,000 00
11	For medical examiners, inquests and commitments of insane, a sum not exceeding five thousand dollars	5,000 00
12	For auditors, masters and referees, a sum not exceeding five thousand dollars	5,000 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding nine thousand dollars	9,000 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding twenty thousand dollars	20,000 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding one hundred forty-six thousand five hundred dollars	146,500 00
16a	For examination of dams, a sum not exceeding two thousand dollars	2,000 00
17	For law libraries, a sum not exceeding three thousand two hundred dollars	3,200 00
18	For the training school, a sum not exceeding one thousand five hundred dollars	1,500 00
19	For county aid to agriculture, a sum not exceeding eleven thousand five hundred dollars	11,500 00
20	For the sanatorium (Hampshire County), a sum not exceeding eleven thousand dollars	11,000 00
21	For the care and maintenance of Greylock state reservation, a sum not exceeding fourteen thousand dollars	14,000 00
21a	For the care and maintenance of Mount Everett state reservation, a sum not exceeding one thousand five hundred dollars	1,500 00
22	For pensions, a sum not exceeding three thousand dollars	3,000 00

Item

23	For miscellaneous and contingent expenses of the current year, a sum not exceeding two thousand five hundred dollars	\$2,500 00
23a	For unpaid bills of previous years, a sum not exceeding one thousand dollars	1,000 00
23b	For Works Progress Administration projects, a sum not exceeding three thousand five hundred dollars	3,500 00
24	For a reserve fund, a sum not exceeding six thousand dollars	6,000 00
And the county commissioners of Berkshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of three hundred sixty-two thousand three hundred two dollars and thirty-eight cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes		\$362,302 38

Bristol County.

1	For interest on county debt, a sum not exceeding six thousand dollars	\$6,000 00
2	For reduction of county debt, a sum not exceeding thirty-five thousand dollars	35,000 00
3	For salaries of county officers and assistants, a sum not exceeding fifty thousand dollars	50,000 00
4	For clerical assistance in county offices, a sum not exceeding forty-two thousand five hundred dollars	42,500 00
5	For salaries and expenses of district courts, a sum not exceeding one hundred twenty-two thousand dollars	122,000 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding seventy-five thousand dollars	75,000 00
7	For criminal costs in superior court, a sum not exceeding fifty-five thousand dollars	55,000 00
8	For civil expenses in supreme judicial, superior, probate and land courts, a sum not exceeding forty thousand dollars	40,000 00
10	For transportation and expenses of county and associate commissioners, a sum not exceeding one thousand five hundred dollars	1,500 00
11	For medical examiners, inquests and commitments of insane, a sum not exceeding seventeen thousand dollars	17,000 00
12	For auditors, masters and referees, a sum not exceeding seven thousand dollars	7,000 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding twenty thousand five hundred dollars	20,500 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding fifty-two thousand dollars	52,000 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding fifty thousand eight hundred dollars	50,800 00
17	For law libraries, a sum not exceeding seven thousand five hundred dollars	7,500 00
18	For the training school, a sum not exceeding five thousand dollars	5,000 00
19	For the agricultural school, a sum not exceeding one hundred one thousand six hundred ninety-three dollars and fifty cents	101,693 50
22	For pensions, a sum not exceeding twenty-five thousand dollars	25,000 00

Item		
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding five thousand five hundred dollars	\$5,500 00
23a	For unpaid bills of previous years, a sum not exceeding four thousand dollars	4,000 00
24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
	And the county commissioners of Bristol county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of five hundred fifty-four thousand six hundred sixty-two dollars and nine cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	\$554,662 09

County of Dukes County.

1	For interest on county debt, a sum not exceeding one thousand dollars	\$1,000 00
2	For reduction of county debt, a sum not exceeding eleven thousand dollars	11,000 00
3	For salaries of county officers and assistants, a sum not exceeding six thousand one hundred dollars	6,100 00
4	For clerical assistance in county offices, a sum not exceeding one thousand eight hundred dollars	1,800 00
5	For salaries and expenses of district courts, a sum not exceeding four thousand nine hundred dollars	4,900 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding one thousand nine hundred dollars	1,900 00
7	For criminal costs in superior court, a sum not exceeding one thousand five hundred dollars	1,500 00
8	For civil expenses in supreme judicial, superior, probate and land courts, a sum not exceeding one thousand seven hundred and fifty dollars	1,750 00
10	For transportation and expenses of county and associate commissioners, a sum not exceeding three hundred dollars	300 00
11	For medical examiners, inquests and commitments of insane, a sum not exceeding three hundred dollars	300 00
12	For auditors, masters and referees, a sum not exceeding three hundred dollars	300 00
13	For building county buildings and purchase of land, a sum not exceeding three hundred and fifty dollars	350 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding one thousand six hundred dollars	1,600 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding three thousand three hundred dollars	3,300 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding nine thousand dollars	9,000 00
17	For the law library, a sum not exceeding three hundred dollars	300 00
19	For county aid to agriculture, a sum not exceeding six hundred dollars	600 00
20	For the sanatorium (Barnstable County), a sum not exceeding six thousand dollars	6,000 00
21	For the Gay Head reservation, a sum not exceeding one hundred dollars	100 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding five hundred dollars	500 00

Item		
23a	For unpaid bills of previous years, a sum not exceeding six hundred and fifty dollars	\$650 00
24	For a reserve fund, a sum not exceeding five hundred dollars	500 00
	And the county commissioners of the county of Dukes County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of forty-one thousand seventy-nine dollars and fifty-two cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	\$41,079 52

Essex County.

1	For interest on county debt, a sum not exceeding three thousand two hundred dollars	\$3,200 00
2	For reduction of county debt, a sum not exceeding seventy-two thousand dollars	72,000 00
3	For salaries of county officers and assistants, a sum not exceeding sixty-six thousand forty dollars	66,040 00
4	For clerical assistance in county offices, a sum not exceeding one hundred six thousand seven hundred dollars	106,700 00
5	For salaries and expenses of district courts, a sum not exceeding one hundred ninety-eight thousand one hundred dollars	198,100 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding ninety-one thousand seven hundred dollars	91,700 00
7	For criminal costs in the superior court, a sum not exceeding seventy thousand dollars	70,000 00
8	For civil expenses in supreme judicial, superior, probate and land courts, a sum not exceeding seventy-five thousand dollars	75,000 00
9	For trial justices, a sum not exceeding five thousand dollars	5,000 00
10	For transportation and expenses of county and associate commissioners, a sum not exceeding two thousand one hundred dollars	2,100 00
11	For medical examiners, inquests and commitments of insane, a sum not exceeding sixteen thousand dollars	16,000 00
12	For auditors, masters and referees, a sum not exceeding nineteen thousand dollars	19,000 00
13	For building county buildings and purchase of land, a sum not exceeding three thousand dollars	3,000 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding twenty-four thousand seven hundred dollars	24,700 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding seventy-three thousand four hundred dollars	73,400 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding three hundred thirty-seven thousand seven hundred fifty dollars	337,750 00
17	For law libraries, a sum not exceeding eleven thousand five hundred dollars	11,500 00
18	For the training school, a sum not exceeding forty-nine thousand six hundred dollars	49,600 00
19	For the agricultural school, a sum not exceeding one hundred seventy thousand four hundred and fifty dollars	170,450 00

Item

19a	For a playground at the agricultural school, a sum not exceeding six thousand dollars	\$6,000 00
22	For pensions, a sum not exceeding sixteen thousand dollars	16,000 00
23	For miscellaneous and contingent expenses of current year, a sum not exceeding six thousand five hundred dollars	6,500 00
23a	For unpaid bills of previous years, a sum not exceeding two thousand dollars	2,000 00
24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
	And the county commissioners of Essex county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of nine hundred seventy-eight thousand seven hundred and ninety dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	\$978,790 00

Franklin County.

1	For interest on county debt, a sum not exceeding twelve thousand six hundred dollars	\$12,600 00
2	For reduction of county debt, a sum not exceeding twenty-five thousand dollars	25,000 00
3	For salaries of county officers and assistants, a sum not exceeding eighteen thousand eight hundred twenty dollars	18,820 00
4	For clerical assistance in county offices, a sum not exceeding seven thousand seven hundred sixty dollars	7,760 00
5	For salaries and expenses of district courts, a sum not exceeding seventeen thousand two hundred dollars	17,200 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding twenty-five thousand seven hundred dollars	25,700 00
7	For criminal costs in superior court, a sum not exceeding ten thousand dollars	10,000 00
8	For civil expenses in supreme judicial, superior, probate and land courts, a sum not exceeding ten thousand dollars	10,000 00
10	For transportation and expenses of county and associate commissioners, a sum not exceeding seven hundred and fifty dollars	750 00
11	For medical examiners, inquests and commitments of insane, a sum not exceeding two thousand dollars	2,000 00
12	For auditors, masters and referees, a sum not exceeding one thousand two hundred dollars	1,200 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding one thousand five hundred dollars	1,500 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding fourteen thousand five hundred dollars	14,500 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding fifty thousand dollars	50,000 00
16a	For examination of dams, a sum not exceeding two hundred dollars	200 00
17	For law libraries, a sum not exceeding two thousand six hundred dollars	2,600 00

Item		
19	For county aid to agriculture, a sum not exceeding nine thousand five hundred dollars	\$9,500 00
20	For the sanatorium (Hampshire County), a sum not exceeding eight thousand two hundred eighty-one dollars and fifty-one cents	8,281 51
20a	For the Greenfield health camp, a sum not exceeding two thousand dollars	2,000 00
21	For the Mount Sugar Loaf state reservation, a sum not exceeding three thousand seven hundred dollars	3,700 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding one thousand eight hundred dollars	1,800 00
23a	For unpaid bills of previous years, a sum not exceeding five hundred dollars	500 00
24	For a reserve fund, a sum not exceeding five thousand dollars	5,000 00
	And the county commissioners of Franklin county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred seventy-four thousand eight hundred seventy-nine dollars and fourteen cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	\$174,879 14

Hampden County.

1	For interest on county debt, a sum not exceeding forty-six thousand dollars	\$46,000 00
2	For reduction of county debt, a sum not exceeding one hundred and twenty-three thousand dollars	123,000 00
3	For salaries of county officers and assistants, a sum not exceeding fifty thousand dollars	50,000 00
4	For clerical assistance in county offices, a sum not exceeding forty-nine thousand dollars	49,000 00
5	For salaries and expenses of district courts, a sum not exceeding one hundred seventeen thousand dollars	117,000 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding eighty-three thousand dollars	83,000 00
7	For criminal costs in superior court, a sum not exceeding thirty-three thousand dollars	33,000 00
8	For civil expenses in supreme judicial, superior, probate and land courts, a sum not exceeding fifty thousand dollars	50,000 00
9	For trial justices, a sum not exceeding two thousand dollars	2,000 00
10	For transportation and expenses of county and associate commissioners, a sum not exceeding one thousand dollars	1,000 00
11	For medical examiners, inquests and commitments of insane, a sum not exceeding fifteen thousand dollars	15,000 00
12	For auditors, masters and referees, a sum not exceeding thirty thousand dollars	30,000 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding ten thousand dollars	10,000 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding sixty-two thousand dollars	62,000 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding one hundred eighty thousand dollars	180,000 00

Item		
16a	For examination of dams, a sum not exceeding three thousand dollars	\$3,000 00
17	For law libraries, a sum not exceeding nine thousand dollars	9,000 00
18	For the training school, a sum not exceeding thirty-two thousand dollars	32,000 00
19	For county aid to agriculture, a sum not exceeding forty-six thousand dollars	46,000 00
20	For the sanatorium (Hampshire County), a sum not exceeding seventeen thousand fifty dollars and eighteen cents	17,050 18
20a	For the preventorium, a sum not exceeding three thousand dollars	3,000 00
21	For the Mount Tom state reservation, including purchase of land, a sum not exceeding twelve thousand six hundred fifty-six dollars and sixty-two cents	12,656 62
22	For pensions, a sum not exceeding twenty thousand dollars	20,000 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding six thousand five hundred sixty-four dollars and ninety-six cents	6,564 96
23a	For unpaid bills of previous years, a sum not exceeding one thousand dollars	1,000 00
24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
And the county commissioners of Hampden county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of seven hundred and ninety-eight thousand dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes		\$798,000 00

Hampshire County.

1	For interest on county debt, a sum not exceeding four thousand dollars	\$4,000 00
2	For reduction of county debt, a sum not exceeding thirty-one thousand two hundred dollars	31,200 00
3	For salaries of county officers and assistants, a sum not exceeding twenty-one thousand dollars	21,000 00
4	For clerical assistance in county offices, a sum not exceeding thirteen thousand five hundred dollars	13,500 00
5	For salaries and expenses of district courts, a sum not exceeding twenty-six thousand five hundred dollars	26,500 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding twenty-six thousand dollars	26,000 00
7	For criminal costs in superior court, a sum not exceeding fourteen thousand dollars	14,000 00
8	For civil expenses in supreme judicial, superior, probate and land courts, a sum not exceeding fourteen thousand dollars	14,000 00
10	For transportation and expenses of county and associate commissioners, a sum not exceeding one thousand dollars	1,000 00
11	For medical examiners, inquests and commitments of insane, a sum not exceeding three thousand five hundred dollars	3,500 00
12	For auditors, masters and referees, a sum not exceeding three thousand five hundred dollars	3,500 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding four thousand five hundred dollars	4,500 00

Item

15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding fifteen thousand five hundred dollars . . .	\$15,500 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding sixty-eight thousand dollars . . .	68,000 00
17	For law libraries, a sum not exceeding one thousand five hundred dollars . . .	1,500 00
19	For county aid to agriculture, a sum not exceeding sixteen thousand one hundred and thirty dollars . .	16,130 00
20	For the sanatorium, a sum not exceeding thirteen thousand three hundred dollars . . .	13,300 00
20a	For the preventorium, a sum not exceeding two thousand dollars . . .	2,000 00
21	For state reservations, including purchase of land, a sum not exceeding two thousand three hundred dollars . . .	2,300 00
22	For pensions, a sum not exceeding five thousand dollars . . .	5,000 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding four thousand five hundred dollars . . .	4,500 00
23a	For unpaid bills of previous years, a sum not exceeding one hundred dollars and ninety-five cents . . .	100 95
24	For a reserve fund, a sum not exceeding four thousand five hundred dollars . . .	4,500 00
And the county commissioners of Hampshire county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of two hundred thirty-five thousand one hundred ninety-nine dollars and forty-seven cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes . . .		\$235,199 47

Middlesex County.

1	For interest on county debt, a sum not exceeding forty-eight thousand dollars . . .	\$48,000 00
2	For reduction of county debt, a sum not exceeding two hundred fifty-eight thousand dollars . . .	258,000 00
3	For salaries of county officers and assistants, a sum not exceeding eighty-two thousand dollars . . .	82,000 00
4	For clerical assistance in county offices, a sum not exceeding two hundred thirty-nine thousand two hundred fifty dollars . . .	239,250 00
5	For salaries and expenses of district courts, a sum not exceeding three hundred sixty-five thousand dollars .	365,000 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding three hundred thousand dollars . . .	300,000 00
7	For criminal costs in superior court, a sum not exceeding two hundred and ten thousand dollars . . .	210,000 00
8	For civil expenses in supreme judicial, superior, probate and land courts, a sum not exceeding one hundred and forty thousand dollars . . .	140,000 00
9	For trial justices, a sum not exceeding one thousand dollars . . .	1,000 00
10	For transportation and expenses of county and associate commissioners, a sum not exceeding two thousand dollars . . .	2,000 00
11	For medical examiners, inquests and commitments of insane, a sum not exceeding thirty-four thousand five hundred dollars . . .	34,500 00

Item		
12	For auditors, masters and referees, a sum not exceeding fifty thousand dollars	\$50,000 00
13	For building county buildings and purchase of land, a sum not exceeding fifteen thousand dollars	15,000 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding sixty thousand dollars	60,000 00
15	For care, fuel, lights and supplies in county buildings other than jails and houses of correction, a sum not exceeding one hundred twenty thousand dollars	120,000 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding three hundred seventy-five thousand dollars	375,000 00
17	For law libraries, a sum not exceeding twelve thousand dollars	12,000 00
18	For the training school, a sum not exceeding seventy-six thousand dollars	76,000 00
19	For county aid to agriculture, a sum not exceeding thirty-seven thousand dollars	37,000 00
21	For Walden Pond state reservation, a sum not exceeding fifteen thousand dollars	15,000 00
22	For pensions, a sum not exceeding forty thousand dollars	40,000 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding ten thousand dollars	10,000 00
23a	For unpaid bills of previous years, a sum not exceeding two thousand dollars	2,000 00
24	For a reserve fund, a sum not exceeding twelve thousand dollars	12,000 00
	And the county commissioners of Middlesex county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of two million one hundred seventeen thousand seven hundred seventy-three dollars and forty cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	\$2,117,773 40

Norfolk County.

1	For interest on county debt, a sum not exceeding three thousand dollars	\$3,000 00
2	For reduction of county debt, a sum not exceeding one thousand five hundred forty-four dollars and twelve cents	1,544 12
3	For salaries of county officers and assistants, a sum not exceeding thirty-six thousand five hundred dollars	36,500 00
4	For clerical assistance in county offices, a sum not exceeding seventy-six thousand five hundred dollars	76,500 00
5	For salaries and expenses of district and municipal courts, a sum not exceeding one hundred thirty-eight thousand seven hundred dollars	138,700 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding eighty thousand dollars	80,000 00
7	For criminal costs in superior court, a sum not exceeding seventy-five thousand dollars	75,000 00
8	For civil expenses in supreme judicial, superior, probate and land courts, a sum not exceeding forty-five thousand dollars	45,000 00
10	For transportation and expenses of county and associate commissioners, a sum not exceeding one thousand dollars	1,000 00

Item

11	For medical examiners, inquests and commitments of insane, a sum not exceeding thirteen thousand five hundred dollars	\$13,500 00
12	For auditors, masters and referees, a sum not exceeding twenty-two thousand dollars	22,000 00
13	For building county buildings and purchase of land, a sum not exceeding seven thousand five hundred dollars	7,500 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding twenty-two thousand dollars	22,000 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding seventy-two thousand five hundred dollars	72,500 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding fifty-six thousand dollars	56,000 00
17	For law libraries, a sum not exceeding two thousand dollars	2,000 00
18	For the training school, a sum not exceeding twelve thousand dollars	12,000 00
19	For the agricultural school, a sum not exceeding one hundred and five thousand dollars	105,000 00
22	For pensions, a sum not exceeding fifteen thousand dollars	15,000 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding six thousand two hundred fifty-nine dollars and fifty-two cents	6,259 52
23a	For unpaid bills of previous years, a sum not exceeding four thousand dollars	4,000 00
24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
	And the county commissioners of Norfolk county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of five hundred twenty-nine thousand two hundred dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	\$529,200 00

Plymouth County.

1	For interest on county debt, a sum not exceeding ten thousand one hundred dollars	\$10,100 00
2	For reduction of county debt, a sum not exceeding twenty-two thousand dollars	22,000 00
3	For salaries of county officers and assistants, a sum not exceeding thirty thousand eight hundred dollars	30,800 00
4	For clerical assistance in county offices, a sum not exceeding twenty-five thousand six hundred dollars	25,600 00
5	For salaries and expenses of district courts, a sum not exceeding seventy-six thousand nine hundred forty dollars	76,940 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding one hundred and one thousand dollars	101,000 00
7	For criminal costs in superior court, a sum not exceeding forty-two thousand five hundred dollars	42,500 00
8	For civil expenses in supreme judicial, superior, probate and land courts, a sum not exceeding twenty-five thousand five hundred dollars	25,500 00

Item		
10	For transportation and expenses of county and associate commissioners, a sum not exceeding two thousand dollars	\$2,000 00
11	For medical examiners, inquests and commitments of insane, a sum not exceeding six thousand dollars	6,000 00
12	For auditors, masters and referees, a sum not exceeding ten thousand dollars	10,000 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding thirteen thousand nine hundred dollars	13,900 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding thirty thousand four hundred and ten dollars	30,410 00
16	For highways, including state highways, bridges and land damages, a sum not exceeding one hundred six thousand four hundred and fifty dollars	106,450 00
16a	For examination of dams, a sum not exceeding four thousand dollars	4,000 00
17	For law libraries, a sum not exceeding three thousand dollars	3,000 00
18	For the training school, a sum not exceeding five thousand five hundred dollars	5,500 00
19	For county aid to agriculture, a sum not exceeding twenty-four thousand nine hundred and fifty dollars	24,950 00
22	For pensions, a sum not exceeding seven thousand five hundred fifty-five dollars and fifty-nine cents	7,555 59
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding two thousand five hundred fifty-six dollars and forty-two cents	2,556 42
23a	For unpaid bills of previous years, a sum not exceeding four thousand dollars	4,000 00
24	For a reserve fund, a sum not exceeding five thousand dollars	5,000 00
	And the county commissioners of Plymouth county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of four hundred twenty-six thousand five hundred dollars, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	\$426,500 00

Worcester County.

1	For interest on county debt, a sum not exceeding one thousand dollars	\$1,000 00
2	For reduction of county debt, a sum not exceeding twenty-five thousand dollars	25,000 00
3	For salaries of county officers and assistants, a sum not exceeding fifty-eight thousand seven hundred dollars	58,700 00
4	For clerical assistance in county offices, a sum not exceeding eighty-five thousand nine hundred and seventy-eight dollars	85,978 00
5	For salaries and expenses of district courts, a sum not exceeding one hundred seventy-three thousand seven hundred eighty dollars	173,780 00
6	For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, a sum not exceeding one hundred seven thousand five hundred and ninety dollars	107,590 00
7	For criminal costs in superior court, a sum not exceeding seventy thousand dollars	70,000 00

Item		
8	For civil expenses in supreme judicial, superior, probate and land courts, a sum not exceeding seventy-four thousand dollars	\$74,000 00
9	For trial justices, a sum not exceeding one thousand dollars	1,000 00
10	For transportation and expenses of county and associate commissioners, a sum not exceeding three thousand four hundred and fifty dollars	3,450 00
11	For medical examiners, inquests and commitments of insane, a sum not exceeding twenty thousand dollars	20,000 00
12	For auditors, masters and referees, a sum not exceeding forty thousand dollars	40,000 00
13	For building county buildings and purchase of land, a sum not exceeding ten thousand dollars	10,000 00
14	For repairing, furnishing and improving county buildings, a sum not exceeding thirty-one thousand five hundred and twelve dollars	31,512 00
15	For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding sixty-eight thousand seventy-six dollars and fifty cents	68,076 50
16	For highways, including state highways, bridges and land damages, a sum not exceeding four hundred thousand four hundred and fifty-five dollars	400,455 00
17	For law libraries, a sum not exceeding thirteen thousand three hundred and twenty dollars	13,320 00
18	For the training school, a sum not exceeding twenty-one thousand three hundred and thirty dollars	21,330 00
19	For county aid to agriculture, a sum not exceeding forty-one thousand five hundred dollars	41,500 00
20a	For the preventorium, a sum not exceeding three thousand dollars	3,000 00
21	For the state reservation, a sum not exceeding twenty-four thousand dollars	24,000 00
22	For pensions, a sum not exceeding sixteen thousand dollars	16,000 00
23	For miscellaneous and contingent expenses of the current year, a sum not exceeding six thousand five hundred dollars	6,500 00
23a	For unpaid bills of previous years, a sum not exceeding two thousand dollars	2,000 00
24	For a reserve fund, a sum not exceeding ten thousand dollars	10,000 00
	And the county commissioners of Worcester county are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one million seventy-four thousand eight hundred sixty-one dollars and eighty-five cents, to be expended, together with the cash balance on hand and the receipts from other sources, for the above purposes	\$1,074,861 85

Approved May 20, 1937.

AN ACT RELATIVE TO THE METHOD OF MAKING PAYMENTS
UNDER THE WORKMEN'S COMPENSATION LAW IN CASE OF
CERTAIN SPECIFIED INJURIES. Chap. 321

Whereas, The deferred operation of this law would defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 152, § 37, amended.

Method of payment for certain injuries.

Section thirty-seven of chapter one hundred and fifty-two of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "thirty-four" in the tenth line the word: — , thirty-four A, — so as to read as follows: — *Section 37.* Whenever an employee who has previously suffered a personal injury resulting in the loss by severance, or the permanent incapacity, of one hand at or above the wrist or one foot at or above the ankle, or the reduction to twenty seventieths of normal vision of one eye with glasses, incurs further disability by the loss or permanent incapacity of a hand or foot or the reduction to twenty seventieths of normal vision in an eye, by reason of a personal injury for which compensation is required by this chapter, he, or his dependent, if death results from the injury, shall be paid the compensation provided for by sections thirty-one, thirty-two, thirty-four, thirty-four A or thirty-five, in the following manner:

One half of such compensation shall be paid by the state treasurer from the fund established by section sixty-five, and the other half by the insurer, but the additional compensation required by section thirty-six shall be paid by the insurer.

Approved May 20, 1937.

Chap. 322 AN ACT PROHIBITING AND PENALIZING THE USE OF DRUGS FOR THE PURPOSE OF AFFECTING THE SPEED OF HORSES AT HORSE RACING MEETINGS.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 128A, new section 13B, added.

Penalty for administering drugs to horses.

Chapter one hundred and twenty-eight A of the General Laws is hereby amended by inserting after section thirteen A, inserted therein by section eight of chapter four hundred and fifty-four of the acts of nineteen hundred and thirty-five, the following new section: — *Section 13B.* No person shall administer or cause to be administered any drug, internally or externally by injection, drench or otherwise, to any horse for the purpose of retarding, stimulating or in any other manner affecting the speed of such horse in or in connection with a race conducted under the provisions of this chapter. Whoever violates this section shall be punished by a fine of five thousand dollars or by imprisonment for one year, or both.

Approved May 20, 1937.

AN ACT TO PROVIDE FOR STATE REIMBURSEMENT FOR THE TRANSPORTATION OF PUPILS TO VOCATIONAL SCHOOLS WHERE SUCH PUPILS RESIDE IN A TOWN WHICH IS EXEMPTED FROM MAINTAINING A HIGH SCHOOL BY THE DEPARTMENT OF EDUCATION. *Chap. 323*

Be it enacted, etc., as follows:

Chapter seventy-four of the General Laws is hereby amended by striking out section eight A, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 8A.* A town where a person resides who is admitted to a school in another town under section seven, and in which a public high school offering four years of instruction is not maintained, including a town which is specifically exempted by the department of education under section four of chapter seventy-one from maintaining a high school, shall, through its school committee, when necessary, provide for the transportation of such person under the same conditions and subject to the same limitations as to cost, and shall be entitled to the same amount of state reimbursement, as is provided in sections six and seven of chapter seventy-one in the case of a person attending a public high school in a town other than that of his residence; and provided, that such a town where a child is placed by the department of public welfare or by the trustees of the Massachusetts training schools who is admitted as aforesaid to a school in another town shall similarly provide for the transportation of such pupil to such school under the same conditions and subject to the same limitations as to cost as aforesaid and shall be entitled to state reimbursement to the full extent of the amounts so expended; and provided, further, that such a town which is specifically exempted as aforesaid shall be entitled to state reimbursement to the extent of one half the amount paid by it for such transportation irrespective of its expenditure per one thousand dollars valuation from the proceeds of local taxation for the support of public schools.

G. L. (Ter. Ed.), 74, § 8A, amended.

Transportation of pupils attending schools.

State reimbursement.

Approved May 20, 1937.

AN ACT RELATIVE TO THE HUNTING OF DEER AND OTHER MAMMALS. *Chap. 324*

Be it enacted, etc., as follows:

Chapter one hundred and thirty-one of the General Laws is hereby amended by striking out section one hundred and four, as amended by section one of chapter one hundred and ninety-two of the acts of nineteen hundred and thirty-three, and inserting in place thereof the following: — *Section 104.* Whoever constructs, erects, sets, repairs or tends any snare for the purpose of catching or killing any mammal, or hunts a mammal by such means or by the aid or use of any motor

G. L. (Ter. Ed.), 131, § 104, etc., amended.

Use of snares, etc., in hunting mammals.

vehicle or artificial light, except as authorized herein, shall be punished by a fine of not less than fifty nor more than two hundred dollars. The construction, erection, setting, repairing or tending of any snare by any person shall be prima facie evidence of a violation by him of this section. Upon application to the director by the owner or occupant of land, the director may grant to him a permit authorizing him, a member of his family, or a person permanently employed by him, if authorized by him so to do, for such period during the close season for deer, not exceeding ninety days, as may be specified in the permit, to set or use a jack or artificial light on such land for the purpose of taking, injuring or killing any deer thereon which he has reasonable cause to believe has damaged or is about to damage crops or fruit trees thereon; and in the event of the taking, injuring or killing of a deer as aforesaid, the person by whom or under whose direction the deer was taken, injured or killed shall, within twenty-four hours thereafter, send to the director a written report, signed by him, of the facts relative to the said taking, injuring, or killing.

The possession, except as authorized herein, during the period between one half hour after sunset and one half hour before sunrise in any place where deer might be found of a jack or artificial light and also any firearm and ammunition adapted to the hunting of deer, including a shotgun together with shotgun shells loaded with shot, bullet or ball larger than number two shot but not including a rifle the calibre of which is not larger than that of a twenty-two long rifle, so-called, or a pistol or revolver of not more than thirty-eight calibre, or the possession, except as authorized herein, during the period between one half hour before sunrise and one half hour after sunset in any such place of such a shotgun together with shotgun shells loaded as aforesaid, shall constitute prima facie evidence that the person in possession thereof is using the same for the purpose of hunting deer in violation of this section.

Nothing herein contained shall be construed as permitting any person to have in possession during the close season on deer any rifle, pistol or revolver in violation of section one hundred and twelve. Nothing herein contained shall be construed to prohibit the possession or use of shotgun shells loaded with shot, bullet or ball larger than number two shot during the open season on deer, nor to prohibit the hunting of raccoons or any unprotected mammal in a lawful manner with a jack or artificial light; provided, that no motor vehicle is used in conjunction with the use of such jack or artificial light.

Approved May 20, 1937.

AN ACT INCREASING THE AMOUNT AND PERIOD OF PAYMENTS
TO CERTAIN DEPENDENT CHILDREN OF EMPLOYEES KILLED
IN INDUSTRIAL ACCIDENTS. *Chap. 325*

Be it enacted, etc., as follows:

Section thirty-one of chapter one hundred and fifty-two of the General Laws, as amended by chapter two hundred and fifty of the acts of nineteen hundred and thirty-four, is hereby further amended by striking out the paragraph contained in the seventh to the forty-fourth lines and inserting in place thereof the following: —

G. L. (Ter.
Ed.), 152,
§ 31, etc.,
amended.

To the widow, so long as she remains unmarried, ten dollars a week if and so long as there is no child of the employee, who is under the age of eighteen, or over said age and physically or mentally incapacitated from earning; to or for the use of the widow and for the benefit of all children of the employee, twelve dollars a week if and so long as there is one such child, and two dollars more a week for each such additional child; provided, that in case any such child is a child by a former wife, the death benefit shall be divided between the surviving wife and all living children of the deceased employee in equal shares, the surviving wife taking the same share as a child. If the widow dies, such amount or amounts as would have been payable to or for her own use and for the benefit of all children of the employee shall be paid in equal shares to all the surviving children of the employee. If the widow remarries, all payments under the foregoing provisions shall terminate and the insurer shall pay each week to each of the children of the employee, if and so long as there are more than five, his or her proportionate share of eighteen dollars and shall pay each of such children, if and so long as there are five or less, three dollars a week. If there is no surviving wife or husband of the deceased employee, such amount or amounts as would have been payable under this section to or for the use of a widow and for the benefit of all such children of the employee, shall be paid in equal shares to all such surviving children of the employee. The total amount of payments and the period of payments in all cases under this section shall not be more than sixty-four hundred dollars nor continue for more than four hundred weeks, except that payment to or for the benefit of children of the deceased employee under the age of eighteen shall not be discontinued prior to the age of eighteen. When weekly payments have been made to an injured employee before his death, compensation under the foregoing provisions of this section shall begin from the date of the death of the employee, but shall not amount to a total of more than sixty-four hundred dollars, including such payments as were made to the injured employee before his death, and shall not continue for more than four hundred weeks, including weeks during which payments were made to the injured employee before his

Death
payments
to widow.

death, except as above provided in cases where children of the deceased employee continue to be under the age of eighteen.

Approved May 20, 1937.

*Chap.*326 AN ACT INCORPORATING THE TRUSTEES OF MIDDLESEX UNIVERSITY WITH POWER TO GRANT CERTAIN DEGREES.

Be it enacted, etc., as follows:

SECTION 1. Frank L. Whipple, John Hall Smith, Horatio S. Card, Howard C. Gale, John M. Russell, C. Ruggles Smith, their associates and successors, are hereby constituted a body corporate by the name of the Trustees of Middlesex University; and they and their successors and such as shall be duly elected members of said corporation shall be and remain a body corporate by that name forever. Said trustees shall be self-perpetuating and shall have power as shall be required, to elect a president, vice-president, secretary, and treasurer, and such other officers as may be necessary, and to declare the duties and tenures of their respective offices; provided, nevertheless, that the number of the members shall not be greater than twenty-one.

SECTION 2. The said corporation shall have full power and authority to determine what times and places their meetings shall be holden, and the manner of notifying the trustees to convene at such meetings and also, from time to time, to select such professors and instructors of said university as they shall judge necessary for the interest thereof; and to determine the duties, salaries, emoluments, responsibilities, and tenures of the same; and said corporation is further empowered to purchase or erect, and keep in repair, such buildings as they shall judge necessary for said university; also to make and ordain, as occasion may arise, reasonable rules, orders, and by-laws for the regulation of their own body, and also to determine and regulate the courses of instruction in said college; and said corporation may receive and hold real or personal estate, by gift, grant, devise, bequest, or otherwise, to the amount not to exceed five million dollars; and shall have all rights, privileges, immunities, and powers, including the conferring of the degrees of bachelor of arts, bachelor of science, doctor of medicine, doctor of surgical chiropody or podiatry, and doctor of veterinary medicine, upon candidates recommended by the faculties of its respective schools; provided, that the degree of doctor of surgical chiropody or podiatry shall be conferred only upon candidates recommended by the faculty of its school of medicine and that all courses required for such degree shall be approved by the approving authority established under the provisions of section two of chapter one hundred and twelve of the General Laws, as amended by sections one and two of chapter two hundred and forty-seven of the acts of nineteen hundred and thirty-six, and the provisions thereof relative to the approval of a medical school shall apply to the approval of said courses.

SECTION 3. The said corporation may have a common seal, which may be altered or renewed, and all deeds sealed with the seal of said corporation and signed in accordance with a vote of the board of trustees, shall be considered in law as the deeds of said corporation; and the said corporation may sue and be sued in all actions.

SECTION 4. The clear income of all the estate, real or personal, of which said corporation shall be seized and possessed, shall be applied to the endowment of said university in such manner as most effectually to promote the general educational purposes of said corporation.

SECTION 5. No officer or instructor in said university shall ever be required by the trustees to profess any particular religious opinions as a test of office, and no student shall be refused admission to or denied any of the privileges, honors, or degrees of said college on account of the religious opinions he may entertain.

SECTION 6. Middlesex College, an educational institution incorporated under chapter twenty-eight of the acts of eighteen hundred and forty-nine under the name of the Worcester Medical Institution, and whose name was changed to its present one by chapter one hundred and twenty-nine of the acts of nineteen hundred and thirty-five, and the University of Massachusetts, Inc., a corporation organized under the general laws of the commonwealth in nineteen hundred and seventeen, are hereby authorized to transfer to the Trustees of Middlesex University, upon such terms and conditions as shall be agreed upon by said corporations, the various schools now maintained by said Middlesex College and the University of Massachusetts, Inc., together with all powers, rights, privileges, and franchises, real and personal property, claims, trusts, and estates appertaining in law or in equity to said Middlesex College and said University of Massachusetts, Inc.

SECTION 7. When in meetings duly called for the purpose, such transfers shall have been agreed upon by the corporations aforesaid, and duly executed, and when certificates thereof, signed by the presidents of said corporations, shall have been filed in the office of the secretary of the commonwealth, the Trustees of Middlesex University shall, thereupon, take and enjoy all the powers, rights, privileges, franchises, real and personal property, claims, trusts, and estates, appertaining in law or in equity to said Middlesex College and said University of Massachusetts, Inc., subject, however, to all duties, restrictions and liabilities belonging thereto, and connected therewith, and said Middlesex College and the University of Massachusetts, Inc., shall thereafter remain corporations only for the purpose of executing all such transfers, assignments, and conveyances as may be deemed necessary to vest all such rights, properties, claims, and estates in the Trustees of Middlesex University, and for the purpose also of receiving any gifts, devises, or bequests that may have been made to them by will or other-

wise, and of transferring the same as aforesaid, and for the other purposes specified in section fifty-one of chapter one hundred and fifty-five of the General Laws, Tercentenary Edition; provided, however, that the Trustees of Middlesex University may continue to make use of the name "Middlesex College" to designate the academic department of said university; and provided further, that upon the dissolution of the University of Massachusetts, Inc., the name "University of Massachusetts" shall never thereafter be appropriated by or conferred upon any educational institution other than one maintained and controlled by the commonwealth.

Approved May 20, 1937.

Chap. 327 AN ACT AUTHORIZING THE DEPARTMENT OF EDUCATION TO FURNISH FREE OF CHARGE TO DISABLED VETERANS CERTAIN CORRESPONDENCE COURSES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 69, § 7, etc., amended.

University extension and correspondence courses.

Section seven of chapter sixty-nine of the General Laws, as most recently amended by chapter two hundred and thirteen of the acts of nineteen hundred and thirty-seven, is hereby further amended by inserting after the word "commonwealth" in the fourteenth line the words:— and to veterans, as such term is defined in section twenty-one of chapter thirty-one, who come within the class referred to as disabled veterans in section twenty-three of said chapter thirty-one, — so as to read as follows:— *Section 7.* The department may co-operate with existing institutions of learning in the establishment and conduct of university extension and correspondence courses; may supervise the administration of all such courses supported in whole or in part by the commonwealth; and also, where deemed advisable, may establish and conduct such courses for the benefit of residents of the commonwealth and, provided that the fees charged exceed the cost of service, may enroll in correspondence courses such non-residents as are approved by the department. The department may offer correspondence courses, free of charge, to inmates of county and state hospitals and sanatoria, county and state correctional institutions, the state infirmary, and federal hospitals situated within the commonwealth and to veterans, as such term is defined in section twenty-one of chapter thirty-one, who come within the class referred to as disabled veterans in section twenty-three of said chapter thirty-one and to blind persons who have resided in the commonwealth at least one year immediately prior to the taking of such courses. It may, in accordance with rules and regulations established by it, grant to students satisfactorily completing such courses suitable certificates.

Approved May 20, 1937.

AN ACT RELATIVE TO THE CONSTRUCTION, MAINTENANCE AND
OPERATION OF A SYSTEM OF SEWERAGE BY THE TOWN OF
DANVERS AND CHANGING THE DESIGNATION AND ENLARG-
ING THE POWERS AND DUTIES OF THE WATER COMMIS-
SIONERS OF SAID TOWN. Chap. 328

Be it enacted, etc., as follows:

SECTION 1. The designation of the water commissioners in the town of Danvers is hereby changed to water and sewer commissioners and all the powers and duties conferred and imposed upon a board of sewer commissioners by chapter two hundred and twenty-nine of the Special Acts of nineteen hundred and sixteen, and any acts in amendment thereof or in addition thereto, shall be exercised and performed by said water and sewer commissioners. Separate records and accounts shall be kept by said water and sewer commissioners of their functions relating to water supply and of their functions relating to sewers.

SECTION 2. Section three of said chapter two hundred and twenty-nine is hereby repealed.

SECTION 3. Said chapter two hundred and twenty-nine is hereby further amended by striking out section seven and inserting in place thereof the following:— *Section 7.* The town shall by vote determine what proportion of the cost of said system or systems of sewerage and sewage disposal the town shall pay: *provided*, that it shall pay not less than one third or more than one half of the whole cost. In providing for the payment of the remaining portion of the cost of said system or systems the town may avail itself of any or all of the methods permitted by general laws, and at the same meeting at which it determines the proportion of the cost which is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. In case it determines that such remaining portion of said cost shall be provided for wholly or in part by assessments upon the owners of estates situated within the territory embraced by said system or systems and benefited thereby, then said owners shall be assessed by said board of commissioners their proportional parts, respectively, of such portion of said cost as said town shall have determined is to be provided for by assessment, but no estate shall be deemed to be benefited until a sewer is constructed into which it can be drained. For the purpose of fixing the amounts of such assessments the said board shall determine the value of the special benefit to each of said estates, respectively, from the said system or systems of sewers, taking into account all the circumstances of the case; and the proportionate part to be paid by the owners of said estates, respectively, shall be based upon the amount of the special benefit to each estate, determined as aforesaid, and in no case shall exceed such special benefit. When the sewerage system is available to an

abutter on a street in which a lateral sewer has been laid, the water and sewer commissioners shall notify said abutter in writing to that effect and of the total amount of the assessment levied against his estate; and the board shall apportion such assessment into ten equal parts or assessments and shall certify such apportionment to the assessors of the town, and one of said parts or instalments, with interest from the date of the apportionment at six per cent per annum, shall be added by the assessors to the annual tax on such estate for each year next ensuing, until all the said parts have so been added, unless sooner paid as herein-after provided, and *provided, further*, that nothing herein contained shall be construed to prevent the payment at any time in one payment, notwithstanding its prior apportionment, of any balance of said assessments then remaining unpaid, but interest on such balance at the rate of six per cent per annum shall be paid to the date of such payment, and thereupon the collector of taxes of said town shall receive the same and shall certify such payment or payments to the assessors, who shall preserve a record thereof. In case of corner lots abutting on more than one sewered street the same area shall not be assessed more than once.

SECTION 4. Said chapter two hundred and twenty-nine is hereby further amended by striking out section eleven and inserting in place thereof the following: — *Section 11.* Any assessment levied under the provisions of section seven or charge aforesaid shall constitute a lien upon the estate which shall continue until the expiration of two years from the time when the last instalment is committed to the collector. Said assessment, together with interest at the rate of five per cent per annum, with incidental costs and expenses, may be satisfied by the sale of the estate or so much thereof as shall be sufficient to discharge the assessment and interest and intervening charges, if the assessment is not paid within three months after any portion has become due. Such sale and all proceedings connected therewith shall be conducted in the same manner as sales for the non-payment of taxes, and real estate so sold may be redeemed in the same manner as if sold for the non-payment of taxes. Such assessments or parts thereof may be collected also by an action of contract in the name of the town of Danvers against the owner of the estate, brought at any time within two years after the same becomes due.

SECTION 5. Section thirteen of said chapter two hundred and twenty-nine is hereby amended by striking out, in the first and second lines, the words "of sewer commissioners shall annually" and inserting in place thereof the word: — may, — so as to read as follows: — *Section 13.* Said board may appoint a clerk, and may appoint a superintendent of sewers, who shall not be a member of the board, and may remove the clerk or superintendent at its pleasure, and may fix the pay of the clerk and superintendent, and define their duties. The commissioners may in their discretion prescribe

such annual rentals or charges for the users of said sewer system based on the benefits derived therefrom as in their judgment they shall deem proper. The compensation of the commissioners shall be fixed by the town.

SECTION 5A. Nothing in this act shall be construed to affect the provisions of chapter three hundred and thirty-nine of the acts of nineteen hundred and twenty-five, and acts in amendment thereof or in addition thereto.

SECTION 6. This act shall be submitted to the legal voters of said town at the annual town meeting in the year nineteen hundred and thirty-eight in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: "Shall an act passed by the General Court in the year nineteen hundred and thirty-seven, entitled 'An Act relative to the Construction, Maintenance and Operation of a System of Sewerage by the Town of Danvers and Changing the Designation and Enlarging the Powers and Duties of the Water Commissioners of Said Town', be accepted?" If a majority of the votes cast in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise.

Approved May 20, 1937.

AN ACT AUTHORIZING THE TRUSTEES OF MEDFIELD STATE HOSPITAL TO CONVEY CERTAIN LAND TO ALICE W. SALTONSTALL OF NEWTON.

Chap. 329

Be it enacted, etc., as follows:

The trustees of the Medfield state hospital, on behalf of the commonwealth, are hereby authorized and directed to convey by a sufficient deed, in such form and containing such provisions binding on the grantee as to such trustees shall seem best and approved as to its form by the attorney general, to Alice W. Saltonstall of Newton, in consideration of four hundred and eighteen dollars, a certain parcel of land in Dover in the county of Norfolk shown on plan entitled "Plan of Land in Dover, Mass." dated April first, nineteen hundred and thirty-seven, by C. H. Gannett Co., Civil Engineers, and bounded and described as follows:—Westerly by land of said Alice W. Saltonstall, six hundred forty-two and four one-hundredths feet; Northerly by land of said Saltonstall, five hundred sixty-eight and ninety one-hundredths feet; Southeasterly by other land of the commonwealth of Massachusetts, eight hundred twenty-one and eighty-three one-hundredths feet; and containing according to said plan four and eighteen one-hundredths acres.

Approved May 20, 1937.

Chap.330 AN ACT AUTHORIZING THE ACQUISITION OF CERTAIN LAND FOR THE PURPOSES OF THE NORFOLK COUNTY TUBERCULOSIS HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. Subject to the approval of the state department of public health, the county commissioners of the county of Norfolk, acting as trustees of the Norfolk county tuberculosis hospital, may expend a sum not exceeding thirteen thousand dollars for the purpose of taking by eminent domain under chapter seventy-nine of the General Laws, or acquiring by gift, purchase or otherwise, a certain parcel of land in the town of Braintree, containing approximately five acres, bounded westerly by South street, northeasterly by Washington street, and southerly by land of the county of Norfolk, as shown on a plan entitled "Plan of Land in Braintree, Mass. Scale 1 inch=80 feet. April 20, 1937. Hartley L. White, County Engineer.", on file in the office of the county engineer of said county.

SECTION 2. For the purposes set forth in section one, the said county commissioners may borrow money on the credit of the county and issue bonds or notes of the county therefor to an amount not exceeding, in the aggregate, thirteen thousand dollars. Said bonds or notes shall bear on their face the words, Norfolk County Tuberculosis Hospital Land Loan, Act of 1937. Said bonds or notes shall be payable by such annual payments beginning not more than one year after the date thereof as will extinguish each loan within five years from its date. The amount of such annual payment in any year shall not be less than the amount of the principal of the loan payable in any subsequent year. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. Each authorized issue shall constitute a separate loan. All sums necessary to meet interest payments on said bonds or notes and payments on account of principal as the same mature shall be assessed upon the cities and towns of said county constituting the hospital district, in accordance with section eighty-three of chapter one hundred and eleven of the General Laws.

SECTION 3. This act shall take effect upon its acceptance during the current year by the county commissioners of the county of Norfolk, but not otherwise.

Approved May 20, 1937.

AN ACT PROVIDING FOR AN APPEAL FROM THE ACTION OF LOCAL LICENSING AUTHORITIES IN REJECTING APPLICATIONS FOR THE RENEWAL OF COMMON VICTUALLERS' LICENSES IN CERTAIN CASES. *Chap.331*

Be it enacted, etc., as follows:

The first paragraph of section twelve of chapter one hundred and thirty-eight of the General Laws, as most recently amended by section two of chapter two hundred and seven of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out the last sentence and inserting in place thereof the following: —

G. L. (Ter. Ed.), 138, § 12, etc., amended.

During such time as the sale of such alcoholic beverages is authorized in any city or town under this chapter, the authority to grant innholders' and common victuallers' licenses therein under chapter one hundred and forty shall be vested in the local licensing authorities; provided, that if a person applies for the renewal of both a common victualler's license under said chapter one hundred and forty and a restaurant license under this section and the local licensing authorities refuse to grant said common victualler's license or fail to act on the application therefor within a period of thirty days, such person may appeal therefrom to the commission in the same manner as provided in section sixty-seven and all the provisions of said section relative to licenses authorized to be issued by local licensing authorities under this chapter shall apply in the case of such common victualler's license. *Renewal of common victuallers' licenses.*

Renewal of common victuallers' licenses.

Appeal.

Approved May 20, 1937.

AN ACT PROVIDING FOR THE CARE OF CERTAIN INFANTS PREMATURELY BORN. *Chap.332*

Be it enacted, etc., as follows:

Chapter one hundred and eleven of the General Laws is hereby amended by inserting after section sixty-seven, as appearing in the Tercentenary Edition, the following four new sections under the following heading: —

G. L. (Ter. Ed.), 111, new sections 67A-67D, added.

CARE OF CERTAIN INFANTS PREMATURELY BORN.

Section 67A. If an infant is born prematurely in a place other than a hospital or institution equipped to care for prematurely born infants, and if such infant weighs five pounds or less, the physician having charge of the birth of such infant shall forthwith notify the board of health and the board of public welfare of the town wherein the infant was born, stating the name of the mother of such infant and the street address where the infant is at the time of such notification. Such notification shall be made as soon as is practicable after such birth occurs, by telephone if possible, and in addition thereto such physician having charge of such birth shall, within twenty-four hours after

Infants prematurely born outside of hospitals.

Notice of birth to board.

such birth, file a written report with such board of health in such form and giving such information as such board shall prescribe.

Transportation of infant to hospital.

Section 67B. Upon the written request of either parent of such infant and of the attending physician, such board of health or its duly authorized representative, upon receiving the notification referred to in the preceding section, shall forthwith provide for the transportation of such infant to a hospital equipped to care for prematurely born infants, unless other provision for such transportation shall have been made.

Expenses for care of infant.

Section 67C. The reasonable charge for the care of any infant in a hospital to which it has been removed in accordance with the provisions of the preceding section shall be paid by the parent or guardian, or any other person bound by law to maintain such infant, if he is able to pay, otherwise by the board of public welfare of the town wherein such infant was born.

Same subject.

Not to be deemed public relief.

Section 67D. Sums paid by any town as provided in the two preceding sections shall not be deemed to have been paid as public relief, and no person shall be deemed to be in receipt of public relief because of his inability to pay such sums, but while such care is being given, such parent or person shall not acquire or lose or be in the process of acquiring or losing a settlement; provided, that the provisions of this section relative to settlement shall not apply to a guardian who is not a parent of such infant or a person bound by law to maintain him.

Approved May 20, 1937.

Chap. 333 AN ACT EXEMPTING CERTAIN DEALERS IN CERTAIN FUEL OIL FROM THE PROVISIONS OF LAW RELATING TO HAWKERS AND PEDLERS.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 101, § 15, etc., amended.

Limit of application of chapter.

Chapter one hundred and one of the General Laws is hereby amended by striking out section fifteen, as amended by chapter two hundred and fourteen of the acts of the current year, and inserting in place thereof the following: — *Section 15.* The provisions of this chapter relating to hawkers and pedlers shall not apply to wholesalers or jobbers selling to dealers only, nor to commercial agents or other persons selling by sample, lists, catalogues or otherwise for future delivery, nor to any dealer regularly engaged in supplying customers with fuel oil for heating or cooking purposes from a fixed place of business within the commonwealth and who does not customarily solicit direct sales from house to house or by means of outcry, sign or signal,

nor to any person who peddles only fish obtained by his own labor or that of his family, fruits, vegetables or other farm products raised or produced by himself or his family, nor to persons selling articles for charitable purposes under section thirty-three, nor to persons licensed under section forty of chapter ninety-four with respect to the sale by them of milk, skimmed milk, cream, butter, cheese or other milk products, except frozen desserts as defined in section sixty-five G of said chapter ninety-four.

(*This bill, returned by the governor to the Senate, the branch in which it originated, with his objections thereto, was passed by the Senate, May 13, 1937, and, in concurrence, by the House of Representatives, May 20, 1937, the objections of the governor notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".*)

AN ACT AUTHORIZING THE TOWN OF NORTH READING TO
CONTRIBUTE TOWARD THE COST OF MOTOR BUS SERVICE
IN SAID TOWN.

Chap.334

Be it enacted, etc., as follows:

SECTION 1. The town of North Reading may, from time to time, for the purpose of avoiding a reduction or discontinuance of service, enter into an agreement with any person, lawfully authorized to operate any motor vehicle on any public way therein for the carriage of passengers for hire, to contribute to the cost of the service; provided, that no contribution under said agreement shall in any year exceed the sum of two dollars for each one thousand dollars of the assessed valuation of the year preceding the date of such agreement and in no event shall it exceed two thousand dollars unless the payment of any such excess is first approved by the department of public utilities. The said department shall, upon application of the town, determine any question relating to the character or extent of the service rendered or facilities furnished in pursuance of said agreement, in the event of differences arising between the person lawfully authorized as aforesaid and said town in relation thereto.

SECTION 2. This act shall take effect upon its passage.
Approved May 20, 1937.

AN ACT RELATIVE TO THE DEFINITIONS OF BUTTER AND
CHEESE, AND TO THE MANUFACTURE AND SALE OF CHEESE.

Chap.335

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter ninety-four of the General Laws, as amended, is hereby further amended by striking out the paragraph containing the definition of "Butter" and "cheese", as appearing in the Tercentenary Edition, and inserting in place thereof the following:—

G. L. (Ter.
Ed.), 94, § 1,
etc., amended.

"Butter"
defined.

"Butter", the product usually known by that name which is manufactured exclusively from milk and cream with or without salt and with or without coloring matter. Butter shall contain not less than eighty per cent by weight of milk fat. Butter containing less than eighty per cent by weight of milk fat shall be deemed to be adulterated within the meaning of sections one hundred and eighty-six to one hundred and ninety-five, inclusive.

G. L. (Ter.
Ed.), 94, § 1,
etc., further
amended.

SECTION 2. Said section one of said chapter ninety-four, as amended, is hereby further amended by striking out, after the definition of "Cattle feed", the paragraph reading " 'Cheese', see 'butter', " as appearing in the Tercentenary Edition, and inserting in place thereof the four following paragraphs:—

"Cheese"
defined.

"Cheese", the product made from the separated curd obtained by the action of coagulating agents on milk, either whole or skimmed, or partially skimmed, enriched with cream, salted or unsalted, colored or uncolored. The coagulation is accomplished by means of rennet or other suitable enzymes, lactic fermentation, or by a combination of the two. The curd may be modified by heat, pressure, ripening ferments, special molds, and may contain suitable seasoning or flavoring agents.

"Cream
cheese"
defined.

"Cream cheese", the soft uncured cheese made from cow's milk, either whole or skimmed, enriched with cream, salted or unsalted, colored or uncolored, and with suitable coagulating agents, and with or without vegetable gums, which, if used, shall not be in excess of one half of one per cent by weight of the finished product. It shall contain not less than seventy per cent butter fat on a moisture free basis and not more than fifty-six per cent of moisture. Cream cheese may contain added flavoring ingredients when stated on the label, but such product shall contain not less than sixty per cent of butter fat on a moisture free basis.

The definitions and standards of cheese bearing a descriptive name in addition to the word "cheese", not otherwise fixed by the laws of this commonwealth or by the department of public health under section one hundred and ninety-two, shall be those fixed and promulgated by the Food and Drug Administration of the United States Department of Agriculture.

Sections one hundred and eighty-six to one hundred and ninety-five, inclusive, shall apply to the adulteration or misbranding of all kinds of cheese.

G. L. (Ter.
Ed.), 94, § 50,
amended.

SECTION 3. Section fifty of said chapter ninety-four, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the fourth line, the words "and either not made exclusively and wholly of milk or cream", and inserting in place thereof the words:— and either not made by the use of coagulating agents, — and by striking out, in the fifth line, the word "therefrom" and inserting in place thereof the words:— from the milk of cows, goats or sheep, — so as to read as follows:— *Section 50.* Whoever himself

or by his agent sells, exposes for sale or has in his possession with intent to sell, any article, substance or compound, made in imitation or semblance of cheese or as a substitute therefor, and either not made by the use of coagulating agents, or containing any fats, oils or grease not produced from the milk of cows, goats or sheep, shall have the words "imitation cheese" stamped, labelled or marked in printed letters of plain, uncondensed gothic type, not less than one inch in length, so that said words cannot be easily defaced, upon the side of each cheesecloth or band around the same, and upon the top and side of each tub, firkin, box or package containing any of said article, substance or compound. In retail sales of said article, substance or compound not in the original packages, the seller shall attach to each package so sold, and shall deliver therewith to the purchaser, a label or wrapper bearing in a conspicuous place upon the outside of the package the words "imitation cheese", in printed letters of plain uncondensed gothic type, not less than one half inch in length.

Imitation
cheese to
be marked.

SECTION 4. Said chapter ninety-four, as amended, is hereby further amended by inserting after section sixty-one, as so appearing, the following new section: — *Section 61A.* The kind of cheese known as Cheddar cheese, American cheese or American Cheddar cheese, may be sold under the designation "cheese", without qualification, and, unless its definition and standard is otherwise fixed by the laws of the commonwealth or by the department of public health under section one hundred and ninety-two, shall comply with the definitions and standards promulgated by the Food and Drug Administration of the United States Department of Agriculture. Cheese made from the milk of sheep or goats shall be labelled as being so made, unless it bears a name designated by the laws of the commonwealth or by said department under said section one hundred and ninety-two, or, if not bearing a name as aforesaid, by the definitions and standards of said Food and Drug Administration.

G. L. (Ter.
Ed.), 94,
new section
61A, added.
Use of certain
terms as
applied to
cheese per-
mitted.

Approved May 20, 1937.

AN ACT AMENDING THE LAWS RELATIVE TO RETIREMENT SYSTEMS IN COUNTIES, CITIES, TOWNS AND CERTAIN HOSPITAL DISTRICTS.

Chap. 336

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Section twenty of chapter thirty-two of the General Laws, as appearing in section one of chapter four hundred of the acts of nineteen hundred and thirty-six, is hereby amended by striking out the definitions of "Em-

G. L. (Ter.
Ed.), 32,
§ 20, etc.,
amended.

ployee" and of "Regular interest" contained in said section and inserting in place thereof the following:—

"Employee"
defined.

"Employee", any person who is regularly employed in the service of and, except in the case of a register of probate, whose salary or compensation is paid by the county or hospital district, whether employed or appointed for stated terms or otherwise, except members of the judiciary and teachers in the public schools as defined by sections six and seven. In all cases of doubt the board shall decide who is an employee.

"Regular
interest"
defined.

"Regular interest", interest at three per cent per annum compounded annually; provided, that if the actual net interest earned on the reserves of the system be more than three per cent, the rate may be fixed by vote of the board from time to time to correspond substantially to the rate of interest actually earned by the funds.

G. L. (Ter.
Ed.), 32,
§ 21, etc.,
amended.

SECTION 2. Section twenty-one of said chapter thirty-two, as so appearing, is hereby amended by striking out paragraphs (1) (b), (1) (c) and (1) (d) and inserting in place thereof the following:—

Membership
classes.

(b) Every person who is an employee of the county or hospital district on the date when the system becomes operative therein, except an elected officer or an employee to whom any pension or retirement law of the commonwealth, whether general or special, other than sections twenty to twenty-five H, inclusive, is applicable on said date, shall become a member as of the first day the system becomes operative, unless at or before the expiration of ninety days thereafter he shall file with the board on a form prescribed by it a notice of his election not to become a member of the system and a duly executed waiver of all present and prospective benefits which might otherwise inure to him on account of his participation therein. All former employees of the county or hospital district, not in its employ upon the date on which the system becomes operative therein but re-entering the service thereof within five years from such date, may become members of the system upon their own application, and disability beneficiaries restored to active service to whom the provisions of paragraph (3) of said section twenty-five A apply shall forthwith become members of the system.

(c) Any employee who is expressly excepted from the operation of paragraph (b) by the provisions thereof shall become a member of the system only if he shall then or thereafter make written application to join the system, and shall therein waive and renounce all benefits of all other pension or retirement systems supported wholly by the county or hospital district, as the case may be; provided, that no such employee shall receive credit for prior service unless he makes such application for membership within one year from the date the system becomes operative therein; and provided, further, that upon such application

the pertinent provisions of section thirty-seven D shall apply to such employee.

(d) Any person holding office by popular election in a county when the system becomes operative therein, including a register of probate, may, at his option, to be exercised in writing not later than ninety days thereafter, become a member of the system and such officer shall receive credit for prior service in all elective and non-elective positions previously held by him in such county, in the same manner as other employees. Any employee of a county or hospital district who becomes a member while holding a non-elective position, and who thereafter accepts an office by popular election, shall retain his membership in the system. Any person not an employee of a county who, after the date on which the system becomes operative therein, is elected by popular election to a county office in such county shall if then under age fifty-five become a member of the system.

SECTION 3. In any county which adopted sections twenty to twenty-five H, inclusive, of chapter thirty-two of the General Laws, as appearing in chapter four hundred of the acts of nineteen hundred and thirty-six, on or before September thirtieth, nineteen hundred and thirty-six, persons holding office by popular election on the operative date of the system established under said sections may exercise on or before July first, nineteen hundred and thirty-seven, the option referred to in section twenty-one (1) (d) of said chapter thirty-two, as appearing in this act, notwithstanding the provisions thereof. Option.

SECTION 4. Section twenty-two of said chapter thirty-two, as so appearing, is hereby amended by striking out the last two sentences of paragraph (5) and inserting in place thereof the following new sentence: — G. L. (Ter. Ed.), 32, § 22, etc., amended.

In case of his reinstatement, upon his redepositing within one year an amount equal to his accumulated deductions or making provision within one year for the return of such deductions, as provided in paragraph (1) (d) of section twenty-five G, his prior service certificate shall be reinstated, provided he re-entered the service within five years after the termination of his last previous service. Reinstatement.

SECTION 5. Section twenty-three of said chapter thirty-two, as so appearing, is hereby amended by adding at the end of subdivision (1) thereof the following new paragraph: — G. L. (Ter. Ed.), 32, § 23, etc., amended.

Notwithstanding the provisions of this subdivision, no person holding office by popular election shall be entitled to a retirement allowance for superannuation unless he has at least fifteen years of creditable service, and any such person with less than fifteen years of creditable service who ceases to hold office shall be paid the amount of his accumulated deductions even though he has attained the age for retirement under said provisions. Retirement allowance.

SECTION 6. Paragraph (2) of section twenty-five of said chapter thirty-two, as so appearing, is hereby amended by G. L. (Ter. Ed.), 32, § 25, etc., amended.

striking out the first clause and inserting in place thereof the following:—

Accidental
disability
allowance.

Upon retirement for accidental disability, a member shall receive an accidental disability retirement allowance consisting of—

G. L. (Ter.
Ed.), 32, § 25F,
etc., amended.

SECTION 7. Section twenty-five F of said chapter thirty-two, as so appearing, is hereby amended by striking out, in the ninth line of paragraph (6), the word "they" and inserting in place thereof the words:—to the commissioner of insurance and said county commissioners, — so that said paragraph will read as follows:—

Records
of board.

(6) The board shall keep a record of all of its proceedings, which record shall be open to public inspection. It shall publish annually a report showing the fiscal transactions of the system for the preceding year, the amount of accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of actuarial valuation of the assets and liabilities thereof. The board shall submit said report to the county commissioners and to the commissioner of insurance and said county commissioners shall publish it with their annual report. Investments having fixed maturities and upon which interest is not in default shall be carried at amortized values, and other investments at a reasonable valuation as determined by the commissioner of insurance.

G. L. (Ter.
Ed.), 32, § 25G,
etc., amended.

SECTION 8. Section twenty-five G of said chapter thirty-two, as so appearing, is hereby amended by striking out the second sentence of paragraph (1) (a) and inserting in place thereof the two following sentences:—

Annuity
savings fund,
administra-
tion of.

The county treasurer and, in the case of members whose salaries are paid by the commonwealth, the state treasurer, shall withhold five per cent of the regular compensation not in excess of fifty dollars weekly due on each pay day to all employees who are members of the system. The board shall notify the state treasurer whenever a person whose salary is paid by the commonwealth becomes a member of the system.

G. L. (Ter.
Ed.), 32, § 25G,
etc., further
amended.

SECTION 9. Paragraph (1) (d) of said section twenty-five G of said chapter thirty-two, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following two new sentences:—

Contributions.

Subject to like approval, any member may authorize the treasurer of the county to deduct and to deposit in the annuity savings fund in the form of additional regular contributions not exceeding the deductions authorized by paragraph (1) (a) of this section, amounts which, with regular interest, shall be used at his retirement to purchase an additional annuity. If such member shall so request in writing, the board may permit a reduction, suspension or termination of such additional contributions, but no return of such additional contributions shall be made except in the manner provided for return of regular deductions in section twenty-five E.

SECTION 10. Section twenty-five I of said chapter thirty-two, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following: —

G. L. (Ter. Ed.), 32, § 25I, etc., amended.

In any county having a retirement system which accepts the provisions of said sections twenty to twenty-five H, inclusive, any employee who has refused to join the previously existing retirement system may join the system under said sections, but shall receive credit for prior service only if he shall, within one year of the date when said system becomes operative, deposit in a lump sum if he has attained age sixty or, if he has not attained said age, shall deposit before attaining age sixty either in a lump sum or in installments the amount he would have contributed had he joined the previously existing retirement system, with regular interest.

Acceptance provisions.

SECTION 11. Section twenty-six of chapter thirty-two of the General Laws, as appearing in section one of chapter three hundred and eighteen of the acts of nineteen hundred and thirty-six, is hereby amended by striking out the definitions of "Employee" and of "Regular interest" contained in said section and inserting in place thereof the following: —

G. L. (Ter. Ed.), 32, § 26, etc., amended.

"Employee", any person who is regularly employed in the service of, and whose salary or compensation is paid by, the city or town, including members of the police and fire departments and other officials or public officers so paid, whether employed or appointed for stated terms or otherwise, except teachers in the public schools, as defined by sections six and seven. In all cases of doubt the board shall decide who is an employee.

Certain words defined.

"Regular interest", interest at three per cent per annum compounded annually; provided, that if the actual net interest earned on the reserves of the system be more than three per cent, the rate may be fixed by vote of the board from time to time to correspond substantially to the rate of interest actually earned by the funds.

SECTION 12. Section twenty-seven of said chapter thirty-two, as so appearing, is hereby amended by striking out paragraphs (1) (b), (1) (c) and (1) (d) and inserting in place thereof the following: —

G. L. (Ter. Ed.), 32, § 27, etc., amended.

(b) Every person who is an employee of the city or town on the date when the system becomes operative therein, except an employee to whom any pension or retirement law of the commonwealth, whether general or special, other than sections twenty-six to thirty-one H, inclusive, is applicable on said date, shall become a member as of the first day the system becomes operative, unless at or before the expiration of ninety days thereafter he shall file with the board on a form prescribed by it a notice of his election not to become a member of the system and a duly executed waiver of all present and prospective benefits which might otherwise inure to him on account of his participation therein. All former employees of the city or town, not in its employ

Membership, classes of.

upon the date on which the system becomes operative therein but re-entering the service thereof within five years from such date, may become members of the system upon their own application, and disability beneficiaries restored to active service to whom the provisions of paragraph (3) of said section thirty-one A apply shall forthwith become members of the system.

(c) Any employee who is expressly excepted from the operation of paragraph (b) by the provisions thereof, shall become a member of the system only if he shall then or thereafter make written application to join the system, and shall therein waive and renounce all benefits of all other pension or retirement systems supported wholly by the city or town; provided, that no such employee shall receive credit for prior service unless he makes such application for membership within one year from the date the system becomes operative therein; and provided, further, that upon such application the pertinent provisions of section thirty-seven D shall apply to such employee.

(d) Any person holding office by popular election in a city or town when the system becomes operative therein, may, at his option, to be exercised in writing not later than ninety days thereafter, become a member of the system and such officer shall receive credit for prior service in all elective and non-elective positions previously held by him in such city or town, in the same manner as other employees. Any employee of a city or town who becomes a member while holding a non-elective position, and who thereafter accepts an office by popular election, shall retain his membership in the system. Any person not an employee of a city or town who, after the date on which the system becomes operative therein, is elected by popular election to a municipal office in such city or town shall if then under age fifty-five become a member of the system.

G. L. (Ter. Ed.), 32, § 28, etc., amended.

SECTION 13. Section twenty-eight of said chapter thirty-two, as so appearing, is hereby amended by striking out the last two sentences of paragraph (5), and inserting in place thereof the following new sentence:—

Reinstatement.

In case of his reinstatement, upon his redepositing within one year an amount equal to his accumulated deductions or making provision within one year for the return of such deductions, as provided in paragraph (1) (d) of section thirty-one G, his prior service certificate shall be reinstated, provided he re-entered the service within five years after the termination of his last previous service.

G. L. (Ter. Ed.), 32, § 29, etc., amended.

SECTION 14. Section twenty-nine of said chapter thirty-two, as so appearing, is hereby amended by striking out the second paragraph of subdivision (1) and by inserting in place thereof the following:—

Conditions for allowance.

Any member classified under Group 2, as defined in section twenty-seven, who shall have attained age sixty-five, and any member classified in Group 1, as so defined, who shall have attained age seventy, shall be retired for super-

annuation upon attaining such age, or within ninety days after the system becomes operative, if such age was attained prior to such date; provided, that an employee who has attained the maximum age for his group when the system becomes operative may, at his own request and with the approval of the board, be continued in service for a period not exceeding two years, during which time no deductions shall be made from his salary, and when so retired shall receive a retirement allowance equal to that to which he would have been entitled if retired at said maximum age for his group.

Notwithstanding the provisions of this subdivision, no person holding office by popular election shall be entitled to a retirement allowance for superannuation unless he has at least fifteen years of creditable service, and any such person with less than fifteen years of creditable service who ceases to hold office shall be paid the amount of his accumulated deductions even though he has attained the age for retirement under said provisions.

SECTION 15. Paragraph (2) (d) of said section twenty-nine of said chapter thirty-two, as so appearing, is hereby amended by striking out, in the next to the last line, the word "retiring" and inserting in place thereof the word: — retirement, — so that said paragraph will read as follows: —

G. L. (Ter. Ed.), 32, § 29, etc., further amended.

(d) The value of the total pension under the two preceding paragraphs, when added to the amount required to purchase the life annuity referred to in paragraph (2) (a) of this section or required to purchase a life annuity of six hundred and fifty dollars at age sixty, whichever is the lesser, shall not exceed the sum which is sufficient to purchase at age sixty a retirement allowance of thirteen hundred dollars. No pension of a member, except as hereinafter provided, shall exceed one half the average annual rate of his regular compensation for the five years prior to the termination of his service, and no retirement allowance shall exceed two thirds of said average annual rate of regular compensation unless the annuity exceeds one third of said average annual rate, in which case the total pension shall be the pension provided under paragraph (2) (b) of this section, the retirement allowance in all cases to be determined on the basis of the full life annuity; provided, that in case the period of prior service is less than five years said prior service pension shall be computed on the compensation received during the period of prior service instead of the annual rate hereinbefore mentioned; and provided, further, that a member who has been an employee for twenty or more years, or a member retired at the maximum age for his group with not less than five years of creditable service, shall receive a pension which, when added to the annual amount of the full life annuity to which he is entitled, will provide a total retirement allowance of not less than four hundred and eighty dollars a year.

Value of pension.

G. L. (Ter. Ed.), 32, § 31, etc., amended.

SECTION 16. Paragraph (2) of section thirty-one of said chapter thirty-two, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following: —

Accidental disability.

Upon retirement for accidental disability, a member classified in Group 1, as defined in section twenty-seven, shall receive an accidental disability retirement allowance consisting of —

G. L. (Ter. Ed.), 32, § 31G, etc., amended.

SECTION 17. Paragraph (1) (d) of section thirty-one G of said chapter thirty-two, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following two new sentences: —

Deposits in annuity savings fund.

Subject to like approval any member may authorize the treasurer of the city or town to deduct and to deposit in the annuity savings fund in the form of additional regular contributions not exceeding the deductions authorized by paragraph (1) (a) of this section, amounts which, with regular interest, shall be used at his retirement to purchase an additional annuity. If such member shall so request in writing, the board may permit a reduction, suspension or termination of such additional contributions, but no return of such additional contributions shall be made except in the manner provided for return of regular deductions in section thirty-one E.

G. L. (Ter. Ed.), 32, § 36, amended.

SECTION 18. Section thirty-six of said chapter thirty-two, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the third and fourth lines, the word "thirty-one" and inserting in place thereof the following: — thirty-one I, — so as to read as follows: — *Section 36.* If, in the judgment of the commissioner of insurance, the county, city or town or the board of retirement thereof has violated or neglected to comply with any provision of sections twenty to thirty-one I, inclusive, or of the rules and regulations established thereunder, he shall give notice thereof to the county commissioners or the mayor or the chairman of the selectmen and to the board of retirement, and thereafter, if such violation or neglect continues, shall forthwith present the facts to the attorney general for action.

Violations of retirement law or rules.

G. L. (Ter. Ed.), 32, § 37D, etc., amended.

SECTION 19. Section thirty-seven D of said chapter thirty-two, as appearing in section three of said chapter three hundred and eighteen, is hereby amended by striking out the first paragraph and inserting in place thereof the following: —

Transfers.

Any member of any contributory retirement system established under the provisions of this chapter or of any special law, which is maintained by public funds, upon leaving a position in the service of a county or municipality or of the commonwealth or of the metropolitan district commission, or as a teacher in the public schools, as defined in sections six and seven, which entitles him to be such member, and accepting a position which entitles him to become a member of any other such system, shall thereupon be transferred to such other system with the right to a re-

tirement allowance based on his full service in both systems, and the full amount of his accumulated deductions plus regular interest shall be transferred to the system of which he then becomes a member. This section shall apply to any person who, within ninety days after leaving a position in any of said systems, accepts a position in any other such system; provided, that it shall not apply to a person who has in the meantime withdrawn his accumulated deductions, unless he redeposits in the annuity fund of such system the full amount of such deductions with regular interest, or provides for payment thereof by an increased rate of contribution over a period not to exceed five years and before attaining age sixty. No provision of this chapter or of any special law limiting the age at which a person may become a member of any system shall prevent a transfer under this section.

SECTION 20. Said chapter thirty-two, as amended, is hereby further amended by inserting after section thirty-seven D, as so appearing, the following new section:—

G. L. (Ter. Ed.), 32, new section 37E, added.

Section 37E. (1) An employee of a county, city, town or hospital district who, having been a member of a contributory retirement system previously existing in the same county, city, town or hospital district, joins a system established under the provisions of sections twenty to twenty-five H, inclusive, or of sections twenty-six to thirty-one H, inclusive, shall on retirement receive a retirement allowance at least equal to that to which he would have been entitled had there been no such previously existing system.

Rights of persons under other retirement systems.

(2) An employee who is or may become eligible under the provisions of any law relative to non-contributory pensions to receive on retirement any such pension and who joins any contributory retirement system shall on retirement receive a retirement allowance at least equal to that to which he would have been entitled had he not become a member of such contributory retirement system.

SECTION 21. Section thirty-eight of said chapter thirty-two, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the fourth line, the word "thirty-one" and inserting in place thereof the following:— thirty-one I, — so as to read as follows:— *Section 38.* The superior court shall have jurisdiction in equity, upon petition of the commissioner of insurance or any interested party, to compel the observance and to restrain the violation of any provision of sections one to thirty-one I, inclusive, and of the rules and regulations established thereunder.

G. L. (Ter. Ed.), 32, § 38, amended.

Jurisdiction of superior court.

SECTION 22. Section sixty-five of said chapter thirty-two, as so appearing, is hereby amended by striking out the last sentence.

G. L. (Ter. Ed.), 32, § 65, amended.

SECTION 23. The first sentence of section seventy-three of chapter one hundred and fifty-two of the General Laws, as appearing in section four of said chapter three hundred and eighteen, is hereby amended by inserting after the word "section" in the seventh line the following:— twenty-five

G. L. (Ter. Ed.), 152, § 73, etc., amended.

Election
between com-
pensation
and pension.

D or, — so as to read as follows: — Any person entitled to receive compensation as provided by section sixty-nine from the commonwealth or from such county, city, town or district, who is also entitled to a pension by reason of the same injury, shall elect whether he will receive such compensation or such pension, and shall not receive both, except in the manner and to the extent provided by section twenty-five D or thirty-one D of chapter thirty-two.

Approved May 24, 1937.

Chap.337 AN ACT PROVIDING FOR EXPEDITING RECONSTRUCTION OF THE BRIDGE OVER CONNECTICUT RIVER BETWEEN NORTHAMPTON AND HADLEY.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

Chapter four hundred and thirty-three of the acts of nineteen hundred and thirty-six is hereby amended by striking out section two and inserting in place thereof the following: — *Section 2.* The department is hereby further authorized and directed to reconstruct the bridge over said river, known as the Northampton-Hadley bridge; provided, that federal funds sufficient to pay substantially one half of said total cost are made available therefor. Substantially one half of said total cost shall be paid out of federal funds made available therefor as aforesaid and the balance thereof shall be payable from any appropriation for the construction of highways. *Approved May 24, 1937.*

Chap.338 AN ACT EXTENDING THE EXISTENCE OF THE EMERGENCY PUBLIC WORKS COMMISSION.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The existence of the Emergency Public Works Commission, established by chapter three hundred and sixty-five of the acts of nineteen hundred and thirty-three, as extended by chapter three hundred and eighty of the acts of nineteen hundred and thirty-five, is hereby further extended to June first, nineteen hundred and thirty-eight.

Approved May 24, 1937.

AN ACT AUTHORIZING BOARDS OF HEALTH IN TOWNS TO MAKE REGULATIONS RELATIVE TO HOUSE DRAINAGE AND CONNECTION WITH COMMON SEWERS WITHOUT AUTHORIZATION BY THEIR RESPECTIVE TOWNS. *Chap.339*

Be it enacted, etc., as follows:

Chapter one hundred and eleven of the General Laws is hereby amended by striking out section one hundred and twenty-seven, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 127.* The board of health of a city or town may make and enforce regulations for the public health and safety relative to house drainage and connection with common sewers, if such a sewer abuts the estate to be drained. Whoever violates any such regulation shall forfeit not more than one hundred dollars.

Approved May 24, 1937.

G. L. (Ter. Ed.), 111, § 127, amended.

Regulations relative to house drainage.

AN ACT RELATIVE TO APPROVAL BY THE DEPARTMENT OF PUBLIC HEALTH OF SYSTEMS OF WATER SUPPLY AND SEWAGE DISPOSAL. *Chap.340*

Be it enacted, etc., as follows:

Section seventeen of chapter one hundred and eleven of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the fourth sentence and inserting in place thereof the following three new sentences: — Towns and persons shall submit to said department for its advice and approval their proposed system of water supply or of the disposal of drainage or sewage, and no such system shall be established without such approval. All petitions to the general court for authority to introduce a system of water supply, drainage or sewerage shall be accompanied by a copy of the recommendation, advice and approval of said department thereon. The department may after a public hearing require a city or town or water company to make such improvements relative to any existing treatment works as in its judgment may be necessary for the protection of the public health, — so as to read as follows: — *Section 17.* The department shall consult with and advise the officers of towns and persons having or about to have systems of water supply, drainage or sewerage as to the most appropriate source of water supply and the best method of assuring its purity, or as to the best method of disposing of their drainage or sewage with reference to the existing and future needs of other towns or persons which may be affected thereby. It shall also consult with and advise persons engaged or intending to engage in any manufacturing or other business whose drainage or sewage may tend to pollute any inland water as to the best method of preventing such pollution, and it may conduct experiments to determine the best methods

G. L. (Ter. Ed.), 111, § 17, amended.

Advice as to disposal of sewage.

of the purification or disposal of drainage or sewage. No person shall be required to bear the expense of such consultation, advice or experiments. Towns and persons shall submit to said department for its advice and approval their proposed system of water supply or of the disposal of drainage or sewage, and no such system shall be established without such approval. All petitions to the general court for authority to introduce a system of water supply, drainage or sewerage shall be accompanied by a copy of the recommendation, advice and approval of said department thereon. The department may after a public hearing require a city or town or water company to make such improvements relative to any existing treatment works as in its judgment may be necessary for the protection of the public health. In this section the term "drainage" means rainfall, surface and subsoil water only, and "sewage" means domestic and manufacturing filth and refuse.

Approved May 24, 1937.

Chap. 341 AN ACT FURTHER REGULATING THE MANUFACTURE AND SALE OF FROZEN DESSERTS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 94, § 65J, etc., amended.

SECTION 1. Section sixty-five J of chapter ninety-four of the General Laws, inserted therein by section one of chapter three hundred and seventy-three of the acts of nineteen hundred and thirty-four, is hereby amended by striking out the second paragraph and inserting in place thereof the following new paragraph:—

Suspension of license.

Any license may be suspended by the local board of health which issued it, and any license or permit may be suspended by the department, after similar notice and hearing and for any of the foregoing reasons, until the holder of such license or permit complies with the conditions prescribed by the department for its reinstatement.

G. L. (Ter. Ed.), 94, § 65L, etc., amended.

SECTION 2. Section sixty-five L of said chapter ninety-four of the General Laws, as so inserted, is hereby amended by inserting after the word "Milk", in the seventeenth line, the words:— in letters not smaller than eight point type and which letters shall be larger than any other lettering upon the package or wrapper. No person shall offer for sale, or sell, any ice milk if the purchaser has requested ice cream, — so that subdivision (c) will read as follows:—

Penalty.

(c) No person shall sell or offer or expose for sale ice milk, unless contained in a package, or enclosed in a wrapper, upon which shall be conspicuously printed in the English language the words "Ice Milk" in letters not smaller than eight point type and which letters shall be larger than any other lettering upon the package or wrapper. No person shall offer for sale, or sell, any ice milk if the purchaser has requested ice cream.

SECTION 3. Section sixty-five P of said chapter ninety-four, as so inserted, is hereby amended by adding at the end the following new paragraph:—

G. L. (Ter. Ed.), 94, § 65P, etc., amended.

(f) Except where otherwise provided in sections sixty-five G to sixty-five S, inclusive, the provisions of sections one hundred and eighty-six to one hundred and ninety-five, inclusive, shall apply to frozen desserts and to ice cream mix, and to any materials intended for use, or used, in the manufacture thereof.

Application of certain sections.

SECTION 4. Section one hundred and eighty-five A of said chapter ninety-four, as appearing in the Tercentenary Edition, is hereby repealed.

G. L. (Ter. Ed.), 94, § 185A, repealed.

Approved May 24, 1937.

AN ACT TO PREVENT THE MISLEADING OF PATRONS OF CERTAIN PLACES AS TO THE BENEFICIARIES OF TIPS GIVEN TO HAT-CHECK AND CIGARETTE GIRLS AND THE LIKE.

Chap. 342

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and forty-nine of the General Laws is hereby amended by inserting after section one hundred and fifty-nine, as appearing in the Tercentenary Edition, the following new section:— *Section 159A.* No licensee under chapter one hundred and thirty-eight or chapter one hundred and forty or under any special licensing law, and no holder of a concession on the licensed premises, shall require any person employed in or upon such licensed premises, or in or upon such part of such licensed premises as is under his control, as the case may be, to check or care for articles of clothing or baggage or to sell cigarettes, cigars, tobacco or other articles of merchandise, to pay over or account for the whole or any portion of the tips or gratuities which are received by the person so employed, unless there is displayed in a conspicuous place in plain view of all persons entering such licensed premises or part thereof, as the case may be, a sign upon which shall be stated the percentage of the tips or gratuities given to persons so employed which such persons are permitted to retain, or, if no percentage is permitted to be so retained, that such persons are not permitted to retain any percentage of such tips or gratuities. The department may make, amend and annul rules and regulations necessary to carry out the purposes of this section and shall be responsible for its enforcement.

G. L. (Ter. Ed.), 149, new section 159A, added.

Taking of tips regulated.

SECTION 2. Section forty-eight of chapter one hundred and forty of the General Laws, as so appearing, is hereby repealed.

G. L. (Ter. Ed.), 140, § 48, repealed.

Approved May 24, 1937.

Chap. 343 AN ACT AMENDING THE LAWS RELATING TO PHARMACY.*Be it enacted, etc., as follows:*G. L. (Ter.
Ed.), 112, § 24,
etc., amended.

SECTION 1. Section twenty-four of chapter one hundred and twelve of the General Laws, as most recently amended by chapter one hundred and twenty-six of the acts of nineteen hundred and thirty-three, is hereby further amended by striking out, in the thirteenth and fourteenth lines, the words "but such certificates shall not allow the holder thereof to carry on the business of pharmacy" and inserting in place thereof the following:— and such certificates shall entitle the holder thereof to all the privileges of a registered pharmacist during the temporary absence of the latter, which absence shall be not more than six hours in any one period of twenty-four consecutive hours; provided, that, upon application to the board, such an assistant may be permitted to exercise the privileges of a registered pharmacist for such further period as the board shall determine. No such certificate as assistant shall allow the holder thereof to engage in the drug business on his own account or as a manager to conduct a pharmacy or drug store, — so as to read as follows:— *Section 24.* A person who desires to do business as a pharmacist shall, upon payment of five dollars to the board of registration in pharmacy, herein and in sections twenty-five to forty-two, inclusive, called the board, be entitled to examination, and, if found qualified, shall be registered as a pharmacist, and shall receive a certificate signed by the president and secretary of the board. Any person failing to pass such examination shall upon request be re-examined, after the expiration of three months, at any regular meeting of the board, upon payment of five dollars. The board may grant certificates of registration as assistants after examination upon the terms above named, and such certificates shall entitle the holder thereof to all the privileges of a registered pharmacist during the temporary absence of the latter, which absence shall be not more than six hours in any one period of twenty-four consecutive hours; provided, that, upon application to the board, such an assistant may be permitted to exercise the privileges of a registered pharmacist for such further period as the board shall determine. No such certificate as assistant shall allow the holder thereof to engage in the drug business on his own account or as a manager to conduct a pharmacy or drug store. The board may grant certificates of registration to such persons as shall furnish with their applications satisfactory proof that they have been registered by examination in some other state; provided, that such other state shall require a degree of competency equal to that required of applicants in this commonwealth. Every such applicant for registration as a registered pharmacist shall pay to the secretary of the board twenty-five dollars at the time of filing his application. No such certificate shall be granted

Examination of
pharmacists for
registration.

until the person applying therefor shall have signified his intention of acting under the same in this commonwealth. No certificate shall be granted under this section unless the applicant shall have submitted evidence satisfactory to the board that he is a citizen of the United States.

SECTION 2. Section twenty-seven of said chapter one hundred and twelve, as amended by section two of chapter three hundred and twenty-eight of the acts of nineteen hundred and thirty-four, is hereby further amended by inserting after the word "violating" in the third and fourth lines the words: — any of the rules or regulations of the board or, — and by inserting after the word "said" in the eighth line the following: — rules, regulations or, — so as to read as follows: — *Section 27.* The board shall hear all complaints made to it against any person registered as a pharmacist charging him in his business as a pharmacist with violating any of the rules or regulations of the board or any laws of the commonwealth, and especially the laws relating to the sale of alcoholic beverages, as defined in section one of chapter one hundred and thirty-eight, and alcohol; or with engaging with, or aiding or abetting, another in the violation of said rules, regulations or laws; or, if he himself is not the owner and actively engaged in such business, with suffering or permitting the use of his name or certificate of registration by others in the conduct of the business of pharmacy. Such complaint shall set out the offence alleged and be made within fifteen days after the date of the act complained of, or within thirty days after a conviction by a court of competent jurisdiction. The board shall notify the person complained against of the charge against him and of the time and place of the hearing at which he may appear with his witnesses and be heard by counsel. It may summon witnesses and compel their attendance at said hearings. Witnesses shall testify on oath and may be sworn by a member of the board. Three members of the board shall be a quorum for any such hearing.

G. L. (Ter. Ed.), 112, § 27, etc., amended.

Hearing on applications and complaints.

SECTION 3. Section thirty of said chapter one hundred and twelve, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "therein" in the ninth line the words: — or an assistant is in charge thereof during the temporary absence of the registered pharmacist, or as otherwise permitted by the board, as provided for in section twenty-four, — so as to read as follows: — *Section 30.* Except as provided in section sixty-five, whoever, not being registered under section twenty-four or corresponding provisions of earlier laws, sells or offers for sale at retail, compounds for sale or dispenses for medicinal purposes drugs, medicines, chemicals or poisons, except as provided in sections thirty-five and thirty-six, shall be punished by a fine of not more than fifty dollars. This section shall not prohibit the employment of apprentices or assistants and the sale by them of any drugs, medicines, chemicals or poisons, provided a registered pharmacist is in charge of the

G. L. (Ter. Ed.), 112, § 30, amended.

Penalty for unlawful sale of drugs.

store and present therein or an assistant is in charge thereof during the temporary absence of the registered pharmacist, or as otherwise permitted by the board, as provided for in section twenty-four; nor shall it apply to any unregistered co-partner or unregistered stockholder in a corporation doing a retail drug business who was actively engaged in the drug business on May twenty-eighth, nineteen hundred and thirteen.

G. L. (Ter. Ed.), 112, § 35, etc., amended.

Application of certain laws restricted.

SECTION 4. Section thirty-five of said chapter one hundred and twelve, as most recently amended by chapter three hundred and six of the acts of nineteen hundred and thirty-five, is hereby further amended by inserting after the word "use" in the eleventh line the words:— which are hypnotics or, — and by inserting after the word "acid" in the same line the words:— or its derivatives and other than the sale at retail of such medicines which are exclusively prepared for hypodermic use in the human system, — so as to read as follows: — *Section 35.* Sections thirty and thirty-seven to forty-one, inclusive, of this chapter, sections twenty-nine to thirty G, inclusive, of chapter one hundred and thirty-eight and section two of chapter two hundred and seventy shall not apply to physicians who put up their own prescriptions or dispense medicines to their patients; nor to the sale of drugs, medicines, chemicals or poisons by wholesale dealers or manufacturing chemists to retail dealers; nor to the manufacture of patent and proprietary medicines, nor to the sale of such medicines other than the sale at retail of those intended for internal use which are hypnotics or which contain barbituric acid or its derivatives and other than the sale at retail of such medicines which are exclusively prepared for hypodermic use in the human system; nor to the sale by merchants at retail of the following drugs and chemicals used in the arts, or as household remedies: alum, ammonia, bicarbonate of soda, borax, camphor, castor oil, chlorinated lime, citric acid, cod liver oil, copperas, cotton seed oil, cream of tartar, dye-stuffs, Epsom salt, flaxseed, flaxseed meal, gelatine, ginger, Glauber's salt, glycerine, gum arabic, gum tragacanth, hops, hyposulphite of soda, licorice, lime water, linseed oil, litharge, magnesia, olive oil, peroxide of hydrogen, petrolatum, phosphate of soda, rhubarb, Rochelle salt, rosin, sal ammoniac, salt-peter, senna, slippery elm bark, spices for seasoning, sugar of milk, sulphate of copper, sulphur, tartaric acid, turpentine, extract of witch hazel and zinc oxide; nor to the sale in the original packages of the following, if put up by registered pharmacists, manufacturers or wholesale dealers in conformity with law: flavoring essences or extracts, essence of Jamaica ginger, insecticides, rat exterminators, aromatic spirits of ammonia, spirits of camphor, sweet spirits of niter, syrup of rhubarb, tincture of arnica and tincture of rhubarb; nor to the sale of the following poisons used in the arts, if properly labelled and recorded as provided by section two of chapter two hundred and seventy: muriatic

acid, oxalic acid, nitric acid, sulphuric acid, arsenic, cyanide of potassium, mercury, phosphorus and sulphate of zinc.

SECTION 5. Section forty of said chapter one hundred and twelve, as amended by section six A of said chapter three hundred and twenty-eight, is hereby further amended by inserting after the word "thirty-eight" in the sixth line the following: —, or for any violation of the rules and regulations established by the board, — and by inserting after the word "law" in the seventh line the following:

G. L. (Ter. Ed.), 112, § 40, etc., amended.

—, rules or regulations, — so as to read as follows: — *Section 40.* The board may suspend or revoke any registration made under the preceding section and any permit issued thereunder for any violation of the law pertaining to the drug business or the sale of alcoholic beverages, as defined in section one of chapter one hundred and thirty-eight, or for any violation of the rules and regulations established by the board, or for aiding or abetting in a violation of any such law, rules or regulations; but before such suspension or revocation the board shall give a hearing to the holder of the permit, after due notice to him of the charges against him and of the time and place of the hearing. Such holder may appear at the hearing with witnesses and be heard by counsel. Witnesses shall testify on oath and any member of the board may administer oaths to them. The board may require the attendance of persons and compel the production of books and documents. Three members of the board shall be a quorum for such a hearing, but no registration or permit shall be suspended or revoked unless upon the affirmative vote of three or more members thereof.

Suspension or revocation of registration or permit.

SECTION 6. Said chapter one hundred and twelve is hereby further amended by inserting after section forty-two, as so appearing, the following new section: — *Section 42A.* The board may make such rules and regulations as it deems necessary to enable it to properly enforce the provisions of law relating to the retail drug business and pharmacy, and regarding any other matter within its jurisdiction; provided, that nothing herein shall authorize the board to make a rule or regulation requiring, as a prerequisite to the examination of an applicant under section twenty-four, or to his qualification, that he be the holder of a degree.

G. L. (Ter. Ed.), 112, new section 42A, added.

Rules.

Approved May 24, 1937.

AN ACT GRANTING CERTAIN POWERS TO THE DEPARTMENT OF PUBLIC WORKS WITH RESPECT TO CERTAIN WAYS CONNECTING WITH STATE HIGHWAYS.

Chap. 344

Be it enacted, etc., as follows:

Chapter eighty-one of the General Laws is hereby amended by inserting after section seven, as appearing in the Tercentenary Edition, the following new section: — *Section 7A.* In connection with the laying out, alteration or reconstruction of a state highway, the department may alter or re-

G. L. (Ter. Ed.), 81, new section 7A, added. Relocation, etc., of ways connecting state highways.

locate connecting ways as may be necessary. Land or rights in land may be acquired for this purpose by eminent domain under chapter seventy-nine by the department in behalf of the city or town in which the land lies, or in behalf of the commonwealth, at the option of the department. Any person whose property has been taken or injured by any action of said department under authority of this section may recover from the commonwealth under chapter seventy-nine such damages therefor as he may be entitled to.

Approved May 24, 1937.

Chap. 345 AN ACT PROVIDING THAT ANY CITY, INCLUDING BOSTON, OR ANY TOWN, SO VOTING, SHALL ELECT AT LARGE BY PROPORTIONAL REPRESENTATION MEMBERS OF ANY MUNICIPAL BODY SPECIFIED IN THE VOTE CONSISTING OF SUCH NUMBER OF MEMBERS AS IS SPECIFIED THEREIN AND SHALL ELECT BY PREFERENTIAL VOTING ANY OFFICER OTHER THAN A MEMBER OF A BODY SO SPECIFIED WHO IS ELECTED AT LARGE.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), chapter 54A, added.

The General Laws are hereby amended by inserting after chapter fifty-four the following new chapter:—

CHAPTER 54A.

ELECTION OF CITY AND TOWN OFFICERS BY PROPORTIONAL REPRESENTATION AND PREFERENTIAL VOTING.

Petition, contents, form of question for submission to voters.

Section 1. A petition or petitions in a form prescribed as hereinafter provided, signed in person by registered voters of any city, including Boston, or any town equal in number to at least ten per cent of the registered voters, petitioning that all the members of any particular municipal body specified therein, having such number of members as is specified therein, be elected at large by the proportional representation method of election provided in this chapter or that the mayor or any other particular single elective municipal officer, specified therein, be elected by the preferential voting method of election provided in this chapter, and that the question of adopting the proposed change be submitted to the registered voters of such city or town at the next regular state or municipal election, may be filed with the city clerk, or in any city having a board of election commissioners or an election commission, with said commissioners or commission, or with the town clerk, not later than ninety days prior to such election in the case of a state election, or not later than sixty days in the case of a municipal election; provided, that such a question may not be so submitted to the registered voters of a town at a town election at which official ballots are not used, and provided, further, that the foregoing shall not authorize any action relative to the election of members of the city council

of Boston. Wherever the term "city clerk" is used in this chapter, it shall refer to the board of election commissioners or the election commission in any city having such a body and not to the city clerk.

The city or town clerk shall prescribe the form of the aforesaid petitions, which shall conform to the provisions of section thirty-eight of chapter forty-three relative to initiative petitions in cities. Within twenty days after the filing of any such petition, the registrars of voters or, in any city in which the duty of certifying signatures on nomination papers is imposed on a board of election commissioners or an election commission, such board or commission shall certify upon such petition the number of signatures which are names of registered voters in such city or town, shall ascertain by what number of registered voters the petition is signed and what per cent that number is of the total number of registered voters and shall attach thereto their certificate showing the result of such examination. When such a petition petitioning that any such question be submitted at a state election is filed, such petition shall be transmitted to the state secretary forthwith after the aforesaid certification.

After such a petition, signed by the requisite number of registered voters of such city or town and otherwise conforming to the provisions hereof is filed with the city or town clerk and the signatures thereon certified, as hereinbefore required, there shall be printed on the official ballot to be used in such city or town at the election specified in such petition, the question of the adoption of the change petitioned for, in the form set forth in the first of the following questions, in case the change will affect an elective body or in the form set forth in the second, in case it will affect a single elective officer, the blanks in such question to be properly filled in either case: —

Referendum on the election by proportional representation of the members of (insert name of elective body) of

Shall the (insert name of elective body) be elected hereafter in accordance with the proportional representation method of election authorized in chapter fifty-four A of the General Laws, said body hereafter to consist of (insert number) members, all to be elected at large?

YES.	
NO.	

Referendum on the election by preferential voting of (insert the mayor or other single elective official) of

Shall the (insert mayor or other single elective official) be elected hereafter in accordance with the preferential voting method of election authorized in chapter fifty-four A of the General Laws?

YES.	
NO.	

Each voter desiring to vote in the affirmative shall place a cross in the space at the right of the word "yes" as so

printed on the ballot. Each voter desiring to vote in the negative shall place a cross in the space at the right of the word "no" as so printed on the ballot. No ballot shall be counted upon which the voter has made a cross in each such space.

Proceedings
after accept-
ance.

Section 2. If a majority of the votes cast upon any question at any such election under the provisions of the preceding section is in the affirmative, the provisions of this and the following sections, so far as pertinent, shall apply with respect to the election of the members of the body or the single elective officer specified in the question; provided, that persons elected to or holding such office at the time of the adoption of the system provided in this chapter shall serve the full term for which they were elected and provided further that, in case the terms of any members of such a body then elected or in office expire earlier than the terms of other members thereof, successors to members whose terms earlier expire shall be elected by the voting system theretofore in effect as to such members, for terms of such duration that the terms of all members thereof will expire at the same time.

At the regular municipal election immediately preceding the termination of the terms of all members of such elective body, the whole number of members of such elective body specified in the question shall be elected at large to serve for the longest full terms theretofore provided by law, in accordance with the proportional representation method of election provided in this chapter and in accordance with the provisions of law governing elections in such city or town which are not inconsistent with this chapter, and thereafter as the terms of the members so elected expire their successors shall be elected in the same manner. At the regular municipal election preceding the expiration of the term of a mayor or other single elective officer specified in the question, a successor shall be elected for the same term of office as theretofore provided by law, in accordance with the preferential voting method of election provided by this chapter and in accordance with the provisions of law governing elections in such city or town which are not inconsistent with this chapter.

Operation of
certain laws
suspended
upon ac-
ceptance.

Section 3. Notwithstanding any provisions of general or special law, applicable in any such city or town as to the office of member of any such municipal body or any single municipal elective office, nominations of candidates to be elected to such offices shall be made only by nomination papers, and the provisions of special law, if any, which govern in such city or town relative to the nomination of candidates by nomination papers for offices to be filled at municipal elections, otherwise the provisions of general law relative thereto, shall apply with respect to nominations to such offices, except as hereinafter provided. The number of signatures of registered voters required for nomination of a candidate for election to the office of member of any such body

shall be not less than one half of one per cent nor more than one per cent of the registered voters in said city or town, and for nomination of a candidate for election to any such single elective office, not less than one per cent nor more than two per cent of the registered voters aforesaid; and any nomination paper for any such office bearing the signatures of more than the maximum number of registered voters permitted hereby for such office shall be invalid. Nomination papers shall be issued to any such candidate, upon request, to such number as will provide spaces for signatures equal to three times the number of signatures required for the nomination of such candidate, but no more. A voter may not sign the nomination papers of more than one candidate for election as member of any such body, if the members thereof are to be elected by the proportional representation method of election. If a voter signs more than one such petition, his signature shall be valid only on the first one filed.

Section 4. Official ballots shall be used in all elections by proportional representation or by preferential voting, and such ballots shall be separate and of a different colored paper than official ballots used at such municipal elections for the election of any other officers or for any other purpose. On each ballot shall be printed or stamped the designation of the ward and precinct, if any, in which it is to be used. The surnames of the candidates shall be printed in a heavier type than the Christian names of the candidates. Except that the names of candidates shall appear in the spaces indicated therefor, and that the spaces left for the office to be filled, the date of the election, the name of the city or town, and the designation of the ward and precinct, if any, shall be properly filled in, the official ballots for each office shall be in form substantially as follows, the first sentence under the heading "Directions to Voters" being printed in prominent bold-faced type:

Ballots,
form of.

*Ballot for (Office to be filled in)
Regular Municipal Election, City (or Town) of*

(Month and Day) , 19
Ward (if any)
Precinct (if any)

Directions to Voters.

Mark your choices with figures, not crosses.

Put the figure 1 opposite your first choice; the figure 2 opposite your second choice; the figure 3 opposite your third choice, and so on. You may mark as many choices as you please.

Do not put the same figure opposite more than one name.

If you spoil this ballot, return it for cancellation to the election officer in charge of the ballots and get another from him,

Candidates for (Office to be filled in)	Order of Choice

(Space for voters to write in additional names)

In preparing this ballot, there shall be added to the name of the candidate and in the same space his party or political designation or designations, if permitted by law.

Arrangement
of names
on ballot.

Section 5. The ballots used in elections by proportional representation or by preferential voting shall be printed in as many lots as there are candidates for the office. In the first lot the names of the candidates shall appear in the alphabetical order of their surnames. In the second lot the names shall appear in the same order except that the first name in the first lot shall be placed last. In each succeeding lot the order shall be the same as that of the lot preceding, except that the first name in that preceding lot shall be placed last. Sets of ballots to be used in the several precincts shall be made up by combining ballots from the different lots in regular rotation, so that no two successive voters shall receive ballots from the same lot, and so that each candidate's name shall appear first and in each other position substantially the same number of times on the ballots used.

Central count-
ing place.

Section 6. Previous to every municipal election the city or town clerk shall designate a central counting place where ballots used in elections by proportional representation or preferential voting shall be brought together and counted publicly, appoint a competent person to act as director of the count, employ a sufficient staff of assistants, and make suitable arrangements for the counting of the ballots.

Appointment
of watchers,
challengers,
etc.

Section 7. At each election by proportional representation any candidate or group of candidates shall be entitled, upon written application to the city or town clerk at least ten days before said election, to exercise all rights granted by the election laws in effect at the time when this section becomes effective to a political party in regard to the appointment of watchers, challengers and inspectors of election at the polling booths. Such watchers, challengers and inspectors shall be permitted to stay in the voting places until the ballots have been sent from them to the central counting place, and to accompany the ballot boxes to the central counting place; provided, however, that if a group of ballot boxes are being taken together, not more than one watcher, challenger or inspector representing the same candidate or group of candidates shall have the right to accompany them.

Each such candidate or group of candidates shall be entitled to appoint two witnesses and two alternates to the count in the central counting place. Application for the appointment of such witnesses to the count and of their alternates must be made in writing to the city or town clerk at least ten days before the election. Credentials shall be issued by the city or town clerk to such witnesses to the count for any office, which shall grant such witnesses full power and authority to move anywhere within the part of the central counting quarters where ballots are being counted in the election by proportional representation, or preferential voting for such office to inspect all activities of the count of such office, and to exercise all rights and powers conferred on watchers and inspectors of election under the election laws; credentials shall likewise be issued for alternates to serve when the regular witnesses are not present. Witnesses.

Each such candidate or group of candidates shall also be entitled to appoint two representatives to watch the ballots at the central counting place during recesses when the counting of ballots is not in progress. Application for the appointment of such representatives shall be made and credentials issued as provided in this section for witnesses to the central count and their alternates. During any time when the counting of ballots is not in progress, from the time the ballots first begin to arrive at the central counting place until the time for appeals from the final result has expired, such representatives shall have the right to be present, with facilities for keeping in full view all the ballots used in electing persons to fill the office or offices sought by their candidate or group of candidates, or the containers in which such ballots have been placed, except during such time as the ballots or containers of ballots may be kept in a locked safe or a vault. No such representative shall be allowed to handle any of the ballots.

Watchers, challengers, inspectors, witnesses, alternates and representatives provided for in this section shall serve without compensation.

Section 8. Separate ballot boxes shall be provided by the city or town clerk for ballots cast under the system of proportional representation or preferential voting. As soon as the polls have closed, the election officials at each polling place shall open any ballot box or boxes used for ballots to be counted by them, sort out immediately any such proportional representation or such preferential voting ballots which may have been mistakenly deposited therein, and deposit any such ballots in the ballot box or boxes provided for proportional representation and preferential voting ballots without opening the latter. They shall then seal each such ballot box so that ballots cannot be removed or inserted without breaking a seal. As soon as may be practicable after the closing of the polls, and in any event, within three hours after the closing of the special ballot boxes for proportional representation and preferential voting, ballots Separate ballot boxes.

shall be delivered to the central counting place. With such ballot boxes the election officials shall deliver on a form to be provided by the city or town clerk a record of the number of such ballots issued to voters and the number of ballots spoiled and returned by the voters for cancellation. They shall also deliver in one sealed envelope of sufficient size to be provided by the city or town clerk for the purpose the spoiled and unused ballots. Proper receipts shall be required in connection with the transportation of ballot boxes, records and supplies.

The ballot receptacles shall be assembled by precincts for counting at the central counting place in an order of precincts determined by the city or town clerk by lot. Lots shall be drawn not earlier than the closing of the polls in the presence of such candidates or their agents as wish to attend after due notification at least five days in advance.

At the central counting place the ballot boxes shall be opened and the number of ballots found therein recorded. The number of ballots shall be compared with the records sent from the corresponding voting places. The records thus compared shall be made available to the public with notations explaining any corrections made therein. If any discrepancy appears which cannot be reconciled, it shall be shown on the record.

If any ballots other than proportional representation or preferential voting ballots are found in a ballot box they shall be promptly sealed in a separate envelope which shall be marked on the outside to indicate the character and number of ballots contained therein, the polling place at which they were cast, and the fact that they were wrongly deposited in the special ballot box for proportional representation and preferential voting ballots. The envelopes shall be sent to the city or town clerk who shall make rules for counting them as additions to the summaries sent in from the polling places. All ballots found in the ballot boxes which bear no evidence of having been improperly cast shall be accepted.

Counting
of ballots.

Section 9. Ballots shall be counted and the results determined under the supervision of the director of the count appointed pursuant to section six, according to the following rules: —

(a) *Valid and Invalid Ballots.* — The ballots in each ballot box shall be examined for validity and those which are found to be invalid or blank shall be separated from the rest. The number of valid ballots from each precinct and the total number of valid ballots shall be recorded. If a ballot does not clearly show which candidate the voter prefers to all others, or if it contains any word, mark or other sign apparently intended to identify the voter, it shall be set aside as invalid. Every ballot not thus invalid shall be counted according to the intent of the voter, so far as that can be clearly ascertained, whether marked according to the directions printed on it or not. No ballot shall be

held invalid because it is marked in ink or pencil different from that supplied at the voting place, or because the names of candidates thereon for whom the voter did not mark a choice have been stricken out. A single cross on a ballot on which no figure 1 appears shall be considered equivalent to the figure 1. If a ballot contains both figures and crosses, the order of the choice shown by the figures shall be taken as the voter's intention in so far as the order is clearly indicated. If the consecutive numerical order of the figures on a ballot is broken by the omission of one or more figures, the smallest number marked shall be taken to indicate the voter's first choice, the next smallest his second, and so on, without regard to the figure or figures omitted.

(b) *Single Vote for Each Voter.* — Each candidate shall be credited with one vote for every valid ballot that is sorted to him as first choice, or otherwise credited to him as hereinafter provided, and no ballot shall ever be credited to more than one candidate at the same time.

(c) *Quota Sufficient to Elect.* — The quota of votes sufficient for the election of a candidate shall be the smallest number of ballots which could be received separately by each of as many candidates as are to be elected, but not by one more. It shall be determined by dividing the total number of valid ballots by one more than the total number of candidates to be elected and adding one to the result, disregarding fractions. Whenever at any stage of the counting the number of ballots credited to a candidate becomes equal to the quota, he shall be declared elected, and no ballots in excess of the quota shall be credited to him except as provided in rule (f) of this section.

(d) *Ballots sorted according to First Choices.* — The ballots shall be sorted according to the first choices marked on them, the ballots from each precinct being handled together, and those from different precincts being handled in the order of precincts determined under the provisions of section eight.

(e) *Treatment of Ballots on which First Choice is Elected.* — If a candidate is elected while the ballots are being sorted according to first choices, any subsequent ballots which show him as first choice shall each be credited to the second choice marked on it, or, if the second choice also has been elected, to the next choice marked on it for a candidate not yet elected.

(f) *Treatment of Ballots marked only for Elected Candidates.* — If during the first sorting of ballots some ballots are found which are marked for a candidate already elected as first choice, but show no clear choice for any unelected candidate, such ballots shall at the end of the sorting be given to the candidate of their first choice, and in their place an equal number as nearly as possible of the last ballots sorted to that candidate which do show a clear choice for unelected candidates shall be taken and re-sorted to unelected candidates as if they were then being sorted for the first time.

(g) *First Candidates Declared Defeated.* — When all the ballots have been thus sorted and credited to the first available choices marked on them, every candidate who is credited with fewer ballots than the number of ballots required for his nomination shall be declared defeated.

(h) *Transfer of Ballots from Defeated Candidates.* — All the ballots of the candidates thus defeated shall be transferred, each to the candidate indicated on it as next choice among the continuing candidates. A "continuing candidate" is a candidate not yet elected or defeated. Any ballot taken for transfer which does not clearly indicate any candidate as next choice among the continuing candidates shall be set aside as "exhausted."

(i) *Defeat of Candidate then Lowest.* — When all the ballots of the candidates thus defeated have been transferred, the one candidate who is then lowest on the poll shall be declared defeated and all his ballots transferred in the same way.

(j) *Successive Defeats and Transfers of Ballots.* — Thereupon the candidate who is then lowest shall be declared defeated and all his ballots similarly transferred. Thus candidates shall be declared defeated one at a time and all their ballots transferred.

(k) *Decision of Ties.* — If, when a candidate is to be declared defeated, two or more candidates are tied at the bottom of the poll, that one of the tied candidates shall be declared defeated who was credited with fewest ballots just before the last transfer of ballots. If two or more of the tied candidates were tied at that stage of the count, also, the second tie shall be decided by referring similarly to the standing of candidates just before the last transfer of ballots before that. This principle shall be applied successively as many times as may be necessary, a tie shown at any stage of the count being decided by referring to the standing of the tied candidates just before the last preceding transfer of ballots. Any tie not otherwise provided for shall be decided by lot.

In interpreting this and other rules the transfer of all ballots from candidates defeated together under rule (g) of this section, and the transfer of all ballots from each candidate defeated thereafter shall each be considered a single separate transfer.

(l) *End of Election.* — If, at any time candidates to the number to be elected have received the quota, any transfer of ballots in progress when the last quota was reached shall be completed, but immediately thereafter all continuing candidates shall be declared defeated and the election shall be at an end. If, at any time, all ballots of any defeated candidates have been transferred, and it is impossible to defeat another candidate without reducing the continuing candidates below the number still to be elected, all the continuing candidates shall be declared elected and the election shall be at an end.

(m) *Record of the Count.* — A record of the count shall be kept in such form as to show, after each sorting or transfer of ballots, the number thereby credited to each candidate, the number thereby found exhausted, the total for each candidate, the total found exhausted, and the total number of valid ballots found by adding the totals of all candidates and the total found exhausted.

(n) *Record of Treatment of Each Ballot.* — Every ballot that is transferred from one candidate to another shall be stamped or marked so that its entire course from candidate to candidate can be conveniently traced.

(o) *Correction of Errors.* — If at any time after the first sorting of the ballots a ballot is found to have been credited to the wrong candidate, it may be transferred, as part of the transfer that is in progress, to the continuing candidate, if any, to whom it should have been credited at the time the error was discovered, or, if it should previously have become exhausted, may be set aside as exhausted as part of the transfer that is in progress; provided, however, that if the number of misplaced ballots found is insufficient to make it possible that any candidate has been wrongly defeated, so much of the sorting and transferring as may be required to correct the error shall be done over again before the count proceeds.

If in correcting an error any ballots are re-sorted or re-transferred, every ballot shall be made to take the same course that it took in the original count unless the correction of an error requires its taking a different course. These principles shall apply also to any recount which may be made after the original count has been completed.

(p) *Recess for Counting Staff.* — The director of the count and his assistants shall proceed with reasonable expedition in the counting of the ballots, but may take recesses at the discretion of the director. The city or town clerk shall make proper provision for the safekeeping of the ballots while the counting is not in progress.

(q) *Candidates and Others entitled to be Present.* — The candidates or their agents, representatives of the press, and, as far as may be consistent with good order and with convenience in the counting and transferring of the ballots, the public shall be afforded every facility for being present and witnessing the counting and transferring of the ballots.

(r) *Boards of Review.* — Each of the candidates or groups of candidates entitled to appoint witnesses of the central count as hereinbefore provided shall be entitled to appoint a member of a board of review for the central count, or of other boards of review if the city or town clerk shall provide for the appointment of more than one such board of review. Such appointment shall be made within the time and in the manner prescribed for the appointment of witnesses of the central count. In the central count a board of review thus constituted shall be given facilities for examining all the ballots in the quota of each elected candidate in order to

make sure that all the ballots of such quota are rightfully credited to the candidate toward whose election they have been counted, that the number of ballots therein is actually equal to the quota herein prescribed, and that "exhausted" ballots have been properly so designated. Any errors discovered by such a board of review shall be forthwith corrected.

Ballots to
be retained
by city and
town clerks.

Section 10. The ballots cast at each election by the proportional representation or preferential voting method shall be preserved by the city or town clerk until the terms of the officers elected thereby have expired, and shall be available for examination continuously throughout the business day, under supervision of the city or town clerk, on written application signed by one hundred or more voters and the payment of a fee of twenty-five dollars for each day on which such inspection is held. Such application shall name not more than three representatives of the applicants to make such examination.

Examination
of and report
on count of
ballots.

Section 11. Within thirty days after an election to fill an office by proportional representation or preferential voting, the city or town clerk shall cause the ballots cast for such office to be examined and shall publish a statement showing —

(a) The number of first-choice ballots cast for each candidate in each precinct.

(b) The number of ballots from each precinct finally counted for each of the elected candidates.

(c) The number of the exhausted ballots from each precinct which showed one or more choices for elected candidates and the number which did not.

(d) The number of invalid ballots cast for each office in each precinct.

(e) The number of blank ballots for each office cast in each precinct.

(f) The number of first choices, second choices, third choices, and so on, used in the election of each of the elected candidates.

(g) Such other information in regard to the ballots as the city or town clerk may deem of interest.

A copy of such statement shall be kept on file in the office of the city or town clerk open to public inspection.

Recounts.

Section 12. Partial or complete recounts of the ballots cast in an election by proportional representation or by preferential voting shall take place in the manner provided in sections one hundred and thirty-four to one hundred and thirty-seven of chapter fifty-four, inclusive, except that no such recounts shall be had unless after the filing of a petition therefor a justice of the superior court, after hearing such evidence as he may deem pertinent, finds that there is reasonable cause to believe that a recount may affect the election of one or more candidates for the office as to which a recount is sought. If a partial or complete recount of the ballots cast in such an election shall in fact take place, it

shall be conducted according to the rules prescribed for the original count as nearly as practicable.

Section 13. When a seat in a multi-membered body elected by the method of proportional representation becomes vacant it shall be filled for the remainder of the unexpired term by a public recount of the ballots credited at the end of the original count to the candidate elected thereby to that seat. Except for the following special rules, the provisions governing the original count shall be in effect:

Recount of
ballots to fill
vacancies.

(a) All choices marked for candidates who have become ineligible or have withdrawn shall be disregarded.

(b) The ballots shall be sorted each to the earliest choice marked on it for any of the eligible candidates.

(c) If any candidate has to his credit more than half of the ballots which show any preference among these candidates he shall be declared elected to the vacant place.

(d) If no candidate receives such a majority the lowest candidates shall be declared defeated one after another and after each candidate is defeated his ballots shall be transferred among the continuing candidates.

(e) This process shall be continued until one candidate is credited with more ballots than all the other undefeated candidates together, when he shall be declared elected to the vacant place.

If a vacancy in a multi-membered body occurs for which no regularly nominated candidate remains it shall be filled for the unexpired term by a majority vote of the remaining members. If all the seats become vacant at once a special election shall be called to elect members to serve for the unexpired term.

Section 14. From and after the date when this chapter shall become effective following an affirmative vote upon the second question contained in section one providing for the choosing of a mayor or other single elective municipal official by the preferential voting method of elections as hereinafter provided, the ballots shall be printed in the manner provided in sections four and five, and the election shall be conducted and the ballots collected as provided for proportional representation in sections four to eight, inclusive. The ballots shall be counted in the central counting place under the supervision of the director of the count, in accordance with the following rules: —

Preferential
method of
voting.

(a) *Ballots sorted according to First Choices.* — The ballots shall first be sorted according to the first choices marked on them, and the total number of valid ballots thus sorted to each candidate shall be ascertained. The validity of ballots shall be determined according to the principles laid down for the count of ballots in an election by proportional representation in rule (a) of section nine.

(b) *Election of Candidate with Majority of First Choices.* — If any candidate is found to have been marked as first choice on more than half of the valid ballots he shall be declared elected.

(c) *First Candidates Declared Defeated.* — If no candidate is thus elected after the count of first choices, every candidate who is credited with fewer ballots than the number of signatures required for his nomination shall be declared defeated.

(d) *Transfer of Ballots from Defeated Candidates.* — All the ballots of the candidates thus defeated shall be transferred, each to the candidate indicated on it as next choice among the undefeated candidates. Any ballot taken for transfer which does not clearly indicate any candidate as next choice among the undefeated candidates shall be set aside as "exhausted."

(e) *Election of Candidates with Majority.* — If, after this or any subsequent transfer of ballots, one candidate is credited with more than half of the valid ballots which have not become exhausted, he shall be declared elected.

(f) *Defeat of Candidate then Lowest.* — If no candidate is thus elected after the transfer of the ballots of candidates defeated under rule (c), the one candidate who is then lowest on the poll shall be declared defeated and all his ballots transferred in the same way.

(g) *Successive Defeats and Transfers of Ballots.* — Thereupon, if no candidate is yet elected, the candidate who is then lowest shall be declared defeated and all his ballots similarly transferred. Thus candidates shall be declared defeated, one at a time, and all their ballots transferred until some candidate has received the necessary majority of the ballots which have not become exhausted and is accordingly declared elected.

(h) *Other Provisions.* — Ties shall be decided, a record of the count kept, errors corrected, recesses taken, and candidates and others permitted to be present according to the principles prescribed for elections by proportional representation in rules (k), (m), (o), (p) and (q) of section nine.

Application of
certain laws.

Section 15. All provisions of law heretofore applicable in the case of a vacancy in a single elective municipal office shall continue to apply after the filling of such office by the preferential voting method of election, except that the election to fill such vacancy shall also be by the preferential voting method of election.

Same subject.

Section 16. In conducting any election by the method of proportional representation or preferential voting mechanical or other devices may be used, if the city council of such city or the selectmen of such town so vote, subject, however, to the provisions of sections thirty-two to thirty-nine, inclusive, of chapter fifty-four applying to voting machines, ballot boxes and counting apparatus; and said sections shall, so far as apt, be applicable in all respects in the case of mechanical or other devices used hereunder. Subject to the approval of the state ballot law commission, the mayor and city council of any city or the selectmen of any town shall have the power to modify the form of the ballot, the rotation of names thereon, the directions to voters and other details in respect to the election process provided, however, that no

change shall be made which will alter or impair the principles of the voting or counting, except that the voter may be limited to not less than eight choices for any particular office.

Approved May 24, 1937.

AN ACT PROVIDING FOR THE ESTABLISHMENT OF A MINIMUM
WAGE FOR LABORERS EMPLOYED BY THE DEPARTMENT OF
PUBLIC WORKS. Chap.346

Be it enacted, etc., as follows:

Section twenty-six of chapter one hundred and forty-nine of the General Laws, as amended by chapter four hundred and sixty-one of the acts of nineteen hundred and thirty-five, is hereby further amended by adding at the end the following new paragraph: —

G. L. (Ter.
Ed.), 149, § 26,
etc., amended.

The minimum wages for laborers employed by the state department of public works shall be at the rate of five dollars per eight hour day.

Minimum
wage for
certain
laborers.

Approved May 25, 1937.

AN ACT PROVIDING THAT THE COUNTY OF HAMPSHIRE BE RE-
IMBURSED FOR THE EXPENSE TO IT OF CERTAIN LITIGATION
ARISING OUT OF THE ESTABLISHMENT OF THE METROPOLI-
TAN WATER SUPPLY SYSTEM WITHIN ITS BOUNDARIES. Chap.347

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district water supply commission shall reimburse the county of Hampshire for any and all necessary sums of money, not exceeding, in the aggregate, fifteen thousand dollars, expended by said county resulting from litigation conducted in the courts of said county, either at law or in equity, arising out of the establishment of the metropolitan water supply system authorized by chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-six or by chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-seven, or by both such chapters, and acts in amendment thereof and in addition thereto, whether commenced in accordance with the provisions of said chapters, or either of them, or under other provisions of law.

SECTION 2. The justice or justices before whom any such litigation is tried or heard shall certify to the commission the amount or amounts of the cost to said county of any such litigation tried or heard before him or them, and the same shall be paid by the said commission to said county, within thirty days after the date of such certification, from the funds provided for metropolitan water supply purposes by said chapter three hundred and seventy-five and by chapters one hundred and eleven and three hundred and twenty-one, both of the acts of nineteen hundred and twenty-seven, and acts in amendment thereof and in addition thereto.

SECTION 3. Chapter three hundred and seventy-four of the acts of nineteen hundred and thirty-six is hereby repealed.

SECTION 4. This act shall take effect upon its passage.

Approved May 26, 1937.

Chap.348 AN ACT PROVIDING THAT THE COUNTY OF HAMPDEN BE REIMBURSED FOR THE EXPENSE TO IT OF CERTAIN LITIGATION ARISING OUT OF THE ESTABLISHMENT OF THE METROPOLITAN WATER SUPPLY SYSTEM WITHIN ITS BOUNDARIES.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district water supply commission shall reimburse the county of Hampden for any and all necessary sums of money, not exceeding, in the aggregate, thirty-seven hundred eighty dollars and thirty cents, expended by said county resulting from litigation conducted in the courts of said county, either at law or in equity, arising out of the establishment of the metropolitan water supply system authorized by chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-six or by chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-seven, or by both such chapters, and acts in amendment thereof and in addition thereto, whether commenced in accordance with the provisions of said chapters, or either of them, or under other provisions of law.

SECTION 2. The justice or justices before whom any such litigation is tried or heard shall certify to the said commission the amount or amounts of the cost to said county of any such litigation tried or heard before him or them, and the same shall be paid by the said commission to said county, within thirty days after the date of such certification, from the funds provided for metropolitan water supply purposes by said chapter three hundred and seventy-five and by chapters one hundred and eleven and three hundred and twenty-one, both of the acts of nineteen hundred and twenty-seven, and acts in amendment thereof and in addition thereto.

SECTION 3. This act shall take effect upon its passage.

Approved May 26, 1937.

Chap.349 AN ACT REGULATING THE TAKING BY SEINES OF BLUEFISH, STRIPED BASS AND WHITE PERCH OFF THE SHORES OF BARNSTABLE COUNTY.

Be it enacted, etc., as follows:

SECTION 1. No person shall, except as hereinafter provided, take with a seine any bluefish, striped bass or white perch within three miles of the shore of Barnstable county. It shall not be a violation of this act for any person using a seine in fishing for mackerel or other fish for the catching

of which its use is permitted to take therewith bluefish, striped bass and white perch in the aggregate to a number not exceeding ten per cent of his total catch, or to a number in excess of such ten per cent if such excess is immediately returned alive to the water whence it was taken. The coastal wardens and the local shellfish wardens and their deputies, if any, within their respective jurisdictions, shall enforce the provisions of this act. Violation of any provision of this act shall be punished by a fine of not less than fifty nor more than three hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved May 26, 1937.

AN ACT EXTENDING THE TIME WITHIN WHICH A COURT DECREE MAY BE ENTERED AUTHORIZING THE CONVEYANCE BY THE TOWN OF CONWAY TO THE CONWAY CEMETERY ASSOCIATION OF CERTAIN CEMETERY FUNDS, AND THEIR USE BY SAID ASSOCIATION.

Chap.350

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter two hundred and one of the acts of nineteen hundred and thirty-five is hereby amended by striking out, in the fifth line, the words "within one year", — so as to read as follows: — *Section 3.* The power to transfer, hold and use moneys and trust funds granted by this act shall be exercised only in conformity with such a decree, if any, of the supreme judicial court, sitting in equity for the county of Franklin, as may be entered after the effective date of this act.

SECTION 2. This act shall take effect upon its passage.

Approved May 26, 1937.

AN ACT PROVIDING FOR THE REIMBURSEMENT OF THE TOWN OF COLRAIN FOR MONEYS EXPENDED BY IT IN REPAIRING AND RECONSTRUCTING CERTAIN BRIDGES IN SAID TOWN.

Chap.351

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

For the purpose of reimbursing the town of Colrain for moneys expended by it during the year nineteen hundred and thirty-six in the repair and reconstruction of the bridge and abutments thereto in said town known as the Thompson bridge, and of the bridge and abutments thereto in that portion of said town known as Griswoldville, the state treasurer, with the approval of the department of public works, is hereby authorized and directed to pay out of the treasury of the commonwealth to said town from the unexpended balance of the amount appropriated by item six

hundred and forty-three a of chapter four hundred and thirty-seven of the acts of nineteen hundred and thirty-six, the sum of ninety-five hundred and fifty dollars and five cents.

Approved May 26, 1937.

Chap.352 AN ACT REGULATING THE MAKING AND AWARDED OF CERTAIN CONTRACTS BY THE METROPOLITAN DISTRICT COMMISSION AND THE METROPOLITAN DISTRICT WATER SUPPLY COMMISSION.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 92, new section 60A, added.

Proposals for construction work to be advertised.

SECTION 1. Chapter ninety-two of the General Laws is hereby amended by inserting after section sixty, as appearing in the Tercentenary Edition, the following new section: — *Section 60A.* Except in cases of special emergency involving the health or safety of the people or their property, no contract for construction work, whether the same shall be for repairs or original construction, the estimated cost of which amounts to or exceeds one thousand dollars, shall be awarded by the commission, unless proposals for the same shall have been invited by advertisements published in at least two daily newspapers of general circulation, the publication to be at least one week before the time specified for the opening of said proposals. Such advertisements shall state the time and place where the plans and specifications of the proposed work may be had and the time and place for the opening of proposals in answer to said advertisements, and shall reserve the right to reject any or all of such proposals. All such proposals shall be opened in public. No contract shall be split or divided for the purpose of evading any provision of this section. All contracts made by the commission where the amount involved is one thousand dollars or more shall be in writing.

Act extended to metropolitan district water supply commission.

SECTION 2. The provisions of section sixty A of chapter ninety-two of the General Laws shall apply to the making and awarding of contracts by the metropolitan district water supply commission, established by section one of chapter three hundred and seventy-five of the acts of nineteen hundred and twenty-six.

Approved May 26, 1937.

Chap.353 AN ACT RELATIVE TO THE RETIREMENT ALLOWANCE OF SILAS F. WAITE UNDER THE STATE RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

Silas F. Waite, employed by the commonwealth in the securities division of the department of public utilities as chief inspector and supervisor of investigation of fraudulent

securities, shall receive on his retirement under the state retirement system, in addition to the retirement allowance to which he may otherwise be entitled under said system, an extra pension for life equal to the annuity that could have been purchased under paragraph (2) *B (a)* of section five of chapter thirty-two of the General Laws if amounts equal to five per cent contributions from the salary paid to him by the city of Boston for service in the Boston police department had been paid into the state retirement fund from time to time in the manner provided by paragraph (2) *A* of section four of said chapter thirty-two with respect to salaries payable by the commonwealth from June first, nineteen hundred and twelve, up to the date of his membership in the state retirement association, and if such contributions had been accumulated with regular interest, as defined in section one of said chapter thirty-two, up to the date of his retirement. For the purpose of computing the pension for prior service provided under paragraph (2) *C (b)* of section five of said chapter thirty-two, service rendered by said Waite for the city of Boston prior to June first, nineteen hundred and twelve, shall be counted as state service.

Approved May 26, 1937.

AN ACT AUTHORIZING THE TOWNS OF MARSHFIELD AND DUXBURY TO CONTRIBUTE TOWARD THE COST OF RAILROAD SERVICE THEREIN. Chap. 354

Be it enacted, etc., as follows:

SECTION 1. The towns of Marshfield and Duxbury may, from time to time, for the purpose of avoiding a reduction or discontinuance of railroad service therein, enter into an agreement with the New York, New Haven and Hartford Railroad Company, its successors or assigns, to pay any part or all of any excess of the cost of the service on the line of said company operated in said towns above the amount of the receipts from said line arising from the rates and fare in effect thereon during the period covered in such agreement. The department of public utilities shall, upon application of said towns, or either of them, determine any question relating to the character or extent of service rendered or facilities furnished in said towns in pursuance of said agreements, in the event of differences arising between the said railroad company and said towns, or either of them, in relation thereto. Each of said towns may raise by taxation such amounts, but not in excess of fifty cents per thousand of the valuation of said towns in any one year, as may be necessary to carry out the provisions of this act.

SECTION 2. This act shall take full effect upon its acceptance by vote of the inhabitants of each of the towns of Marshfield and Duxbury at an annual town meeting or at a special town meeting called for the purpose, but not otherwise.

Approved May 26, 1937.

Chap.355 AN ACT RELATIVE TO THE RETIREMENT ALLOWANCE OF MARY ALICE MCMAHON UNDER THE STATE RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

Mary Alice McMahon, employed by the commonwealth in the Boston state hospital as superintendent of nurses shall receive, on her retirement under the state retirement system, in addition to the retirement allowance to which she may otherwise be entitled under said system, an extra pension for life equal to the annuity that could have been purchased under paragraph (2) *B (a)* of section five of chapter thirty-two of the General Laws if amounts equal to five per cent contributions from the salary paid to her by the city of Boston for service as an employee at the Boston city hospital had been paid into the state retirement fund from time to time in the manner provided by paragraph (2) *A* of section four of said chapter thirty-two with respect to salaries payable by the commonwealth from June first, nineteen hundred and twelve, up to the date of her membership in the state retirement association, and if such contributions had been accumulated with regular interest, as defined in section one of said chapter thirty-two, up to the date of her retirement. For the purpose of computing the pension for prior service provided under paragraph (2) *C (b)* of section five of said chapter thirty-two, service rendered by said McMahon for the city of Boston prior to June first, nineteen hundred and twelve, shall be counted as state service.

Approved May 26, 1937.

Chap.356 AN ACT ESTABLISHING THE AMOUNT OF THE RETIREMENT ALLOWANCE OF GILBERT W. HUNT.

Be it enacted, etc., as follows:

For the purpose of discharging a moral obligation of the commonwealth in the premises, the retirement allowance of Gilbert W. Hunt, formerly armorer at the Lowell Armory, shall be nine hundred dollars a year from the date of his retirement.

Approved May 26, 1937.

Chap.357 AN ACT RELATIVE TO PURCHASE OF BONDS OF THE BOSTON ELEVATED RAILWAY COMPANY BY THE BOSTON METROPOLITAN DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The trustees of the Boston metropolitan district, hereinafter called the district, in the name and on behalf of the district, may from time to time, prior to November first, nineteen hundred and thirty-seven, if they deem it in the interest of the district so to do, at the request of the board of trustees of the Boston Elevated Railway Company, purchase bonds of the Boston Elevated Railway Company,

hereinafter called the company, hereafter issued or reissued under the authority of section eighteen of chapter three hundred and thirty-three of the acts of nineteen hundred and thirty-one for the purposes of paying or refunding any bonds, coupon notes or other evidences of indebtedness of the company payable at periods of more than one year from the date thereof, to an amount not exceeding four million eight hundred thousand dollars, in addition to such purchases heretofore authorized. The trustees of the district shall procure the funds necessary for each purchase authorized by this section by the issue of bonds of the district under and in the manner provided in section ten of chapter three hundred and eighty-three of the acts of nineteen hundred and twenty-nine and section two of chapter one hundred and forty-seven of the acts of nineteen hundred and thirty-two, and the provisions of said sections shall apply thereto in the same manner and to the same extent as if such bonds of the district were specifically authorized in said chapter three hundred and eighty-three; provided, that any bonds of the district issued under authority of this act shall be for such terms not less than fifteen years, except as hereinafter provided, and not exceeding twenty-five years from the date thereof, and shall bear interest payable semi-annually at such rates, as said trustees of the district, subject to the approval of the department of public utilities, shall from time to time determine. Said bonds of the district may be issued on either the sinking fund or serial payment plan, and, if issued on the serial payment plan, such portions of each issue of said bonds as the trustees of the district, subject to like approval, may determine may be for terms of less than fifteen years, and the trustees of the district shall endeavor so to arrange the maturities of all bonds issued on the serial payment plan that the bonds maturing each year other than the final year will be met by the amounts available from interest upon the bonds purchased. All amounts received by the district from said interest shall be applied in payment of interest and principal of the bonds of the district issued hereunder as and when due, and any balance shall be accumulated in a sinking fund to be used for such purpose, as and when required. All amounts received by the district in payment of each such bond issue of the company shall be applied in payment of bonds of the district issued hereunder to provide funds for the purchase of such bond issue and the balance shall be accumulated in a general sinking fund for any bonds of the district then outstanding. Said sinking funds shall be invested as provided in section eleven of said chapter three hundred and eighty-three.

SECTION 2. Each bond issue of the company so purchased shall be for the same term as the term of the last maturing bonds of the district issued to provide funds for the purchase of such bond issue of the company, and shall bear interest payable semi-annually at a rate two per cent higher than

the rate payable upon said bonds of the district. In the event that said bonds of the district are sold at a premium above or a discount below par, the bond issue of the company purchased with the proceeds thereof shall be purchased by the district at the same premium above or discount below par. Said bonds of the company, both as to income and principal, are hereby made exempt from all taxes levied under authority of the commonwealth while held by the district and shall contain a recital to such effect. Said bonds of the company shall not be disposed of by the district without authority of the general court. The proceeds of said bonds of the company shall be used by it only for the purposes hereinbefore set forth.

SECTION 3. The company shall reimburse the district, at the request of the trustees thereof, for all expenses incidental to the authorization, preparation, issue, registration and payment of interest and principal of the aforesaid bonds of the district.

Approved May 26, 1937.

Chap.358 AN ACT EXTENDING FURTHER THE DURATION OF A LAW PROVIDING FOR THE TRIAL OR DISPOSITION OF CERTAIN CRIMINAL CASES BY DISTRICT COURT JUDGES SITTING IN THE SUPERIOR COURT.

Be it enacted, etc., as follows:

Chapter four hundred and sixty-nine of the acts of nineteen hundred and twenty-three, as most recently amended by chapter three hundred and seventy-seven of the acts of nineteen hundred and thirty-five, is hereby further amended by striking out section five and inserting in place thereof the following: — *Section 5.* This act shall not be operative after December thirty-first, nineteen hundred and forty.

Approved May 26, 1937.

Chap.359 AN ACT EXTENDING TO ALL STATE OFFICERS AND BOARDS CERTAIN PROVISIONS OF LAW RELATIVE TO STATE FINANCES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 29, § 27, amended.

Expenses and increases of boards or officers regulated.

Section twenty-seven of chapter twenty-nine of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the first line, the word "public", — so as to read as follows: — *Section 27.* No officer or board shall incur a new or unusual expense, make a permanent contract, increase a salary or employ a new clerk, assistant or other subordinate unless a sufficient appropriation to cover the expense thereof has been made by the general court, except that prior to the effective date of the general appropriation act the department of public works, in anticipation of appropriations therefor, may, in any fiscal year, with the approval of the governor and council, make contracts for the construction and recon-

struction of state highways binding the commonwealth to an amount not in excess of twenty-five per cent of the amount appropriated during the preceding fiscal year for the same purposes, such contracts to provide for the completion of the work thereunder within the fiscal year in which they are made.

Approved May 26, 1937.

AN ACT RELATIVE TO THE SALARIES OF THE CLERKS AND ASSISTANT CLERKS OF THE SENATE AND HOUSE OF REPRESENTATIVES AND TO CLERICAL ASSISTANCE IN THE OFFICES OF SAID CLERKS.

Chap. 360

Be it enacted, etc., as follows:

SECTION 1. Chapter three of the General Laws is hereby amended by striking out section twelve, as appearing in the Tercentenary Edition, and inserting in place thereof the following:—*Section 12.* The clerk of the senate and the clerk of the house of representatives shall each receive a salary graded by length of service as follows:—First three years, four thousand dollars; fourth to sixth years, inclusive, five thousand dollars; and thereafter, six thousand dollars; provided, that, if an assistant clerk of the senate or house of representatives is elected clerk of either branch, his service as said assistant clerk shall, for the purpose of grading his salary as clerk, be credited as service as clerk. Each such clerk shall hold office until his successor is qualified.

G. L. (Ter. Ed.), 3, § 12, amended.

Salaries of clerk of Senate and House of Representatives.

SECTION 2. Said chapter three is hereby further amended by striking out section thirteen, as so appearing, and inserting in place thereof the following:—*Section 13.* The clerks of the senate and house of representatives, subject to the approval of the senate and house, respectively, may each appoint an assistant clerk who, in the absence of the clerk, shall perform his duties unless a temporary clerk is chosen. Each clerk may remove the assistant clerk appointed by him. The salary of each of the assistant clerks shall be graded by length of service as follows:—First three years, thirty-five hundred dollars; fourth to sixth years, inclusive, four thousand dollars; and thereafter, forty-five hundred dollars. The clerk of the senate may also employ necessary clerical assistance at an annual expense of not more than twenty-five hundred dollars, and the clerk of the house of representatives may also employ necessary clerical assistance at an annual expense of not more than sixty-eight hundred dollars.

G. L. (Ter. Ed.), 3, § 13, amended.

Appointment, salaries and tenure of office of assistant clerks and clerical assistants.

SECTION 3. Chapter three hundred and twenty-two of the acts of nineteen hundred and twenty-eight and chapter one hundred and eighty-one of the acts of nineteen hundred and thirty-two are hereby repealed.

SECTION 4. The service of the present clerk of the senate as assistant clerk of the senate shall, for the purpose of grading his salary under this act, be considered as service as clerk of the senate.

SECTION 5. This act shall become operative when sufficient appropriations therefor have been made, and then as of January first of the current year.

Approved May 26, 1937.

*Chap.*361 AN ACT GRANTING THE CONSENT OF THE COMMONWEALTH TO THE ACQUISITION BY THE UNITED STATES OF AMERICA OF CERTAIN LANDS FOR THE PURPOSES OF THE VETERANS' ADMINISTRATION FACILITY IN THE TOWN OF BEDFORD.

Be it enacted, etc., as follows:

SECTION 1. The consent of the commonwealth is hereby granted to the acquisition by the United States of America, by purchase or condemnation, for the site of the Veterans' Administration Facility in the town of Bedford, of a certain tract of land situated in said town and formerly owned by Philip F. Coleman, and of certain additional lands formerly owned by the Estate of John R. Comley, adjoining the site of the Veterans' hospital in said town, a more particular description of said lands being shown on a plan thereof, dated May twentieth, nineteen hundred and thirty-seven, and on file in the office of the state secretary.

SECTION 2. Jurisdiction over the said land is hereby granted and ceded to the United States of America, but upon the express condition that the commonwealth shall retain concurrent jurisdiction with the United States of America in and over the land so acquired, in so far that all civil processes, and such criminal processes as may issue under the authority of the commonwealth against any person or persons charged with crimes committed without said land, may be executed thereon in the same manner as though this consent and cession had not been granted.

Approved May 26, 1937.

*Chap.*362 AN ACT CHANGING THE POSITION IN THE GENERAL LAWS OF CERTAIN PROVISIONS OF LAW RELATIVE TO BAKERIES.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 94, § 1,
etc., amended.

SECTION 1. Section one of chapter ninety-four of the General Laws, as amended, is hereby further amended by striking out, in the nineteenth line, as printed in the Tercentenary Edition, the word "eight" and inserting in place thereof the following: — nine M, — so that the paragraph defining "Bakery" will read as follows: —

"Bakery"
defined.

"Bakery", in sections two to nine M, inclusive, a building or part of a building wherein is carried on the production, preparation, packing, storing, display or sale of bread, cake, pies or other bakery products, including any separate room used for the convenience or accommodation of workers.

G. L. (Ter.
Ed.), 94, § 6,
amended.

SECTION 2. Section six of said chapter ninety-four, as appearing in the Tercentenary Edition, is hereby amended

by striking out, in the fifth line, the words "forty-two of chapter one hundred and eleven" and inserting in place thereof the words:— nine I, — so as to read as follows:—

Section 6. The department of public health may, by rule, establish such exemptions as may be necessary to facilitate the sale of any accumulated or unsold stocks of wholesome bakery products, and in other cases consistent with sections two to six, inclusive, and section nine I. The standards and requirements prescribed by sections two to six, inclusive, shall conform to rules and regulations adopted by the department of public health, and said sections and rules and regulations shall be enforced by said department and by local boards of health acting under the supervision of said department.

Rules.

Section 3. Said chapter ninety-four is hereby further amended by inserting after section nine, as so appearing, the following thirteen new sections:— *Section 9A.* Every room used for the manufacture of flour or meal food products shall, if required by the board of health, have an impermeable floor constructed of cement or tiles laid in cement, and an additional floor of wood properly saturated with linseed oil. The walls and ceiling of such room shall be plastered or wainscoted, and, if required by the board of health, shall be whitewashed at least once in three months. The furniture and utensils therein shall be so arranged that they and the floor may at all times be kept clean and in good sanitary condition.

G. L. (Ter. Ed.), 94, new sections 9A-9M, added.

Type of rooms used for bakeries regulated.

Section 9B. The sleeping places for persons employed in a bakery shall be separate from the rooms where flour or meal food products are manufactured or stored.

Sleeping places for employees.

Section 9C. The owner, agent or lessee of any property affected by section nine A shall, within sixty days after service of written notice requiring any alterations to be made in such property, comply therewith. Such notice may be served upon such owner, agent or lessee personally or by mail directed to his last known address.

Notice to make alterations.

Section 9D. Except as provided in section nine F, boards of health may make such further regulations as the public health may require, and shall cause such regulations, together with sections nine A to nine E, inclusive, to be printed and posted in all such bakeries and places of business.

Regulations of boards of health.

Section 9E. Whoever violates any provision of sections nine A to nine C, inclusive, or refuses to comply with any requirement of the board of health authorized therein or in the preceding section shall be punished for a first offence by a fine of not less than twenty nor more than fifty dollars; for the second offence by a fine of not less than fifty nor more than one hundred dollars or by imprisonment for not more than ten days; and for any subsequent offence by a fine of not less than two hundred and fifty dollars or by imprisonment for not more than one month, or both.

Penalties.

Section 9F. The department of public health may make rules and regulations to carry out sections nine G to nine M,

Rules of department of public health.

inclusive. Said sections and the rules and regulations shall be enforced by said department and by the local boards of health acting under the supervision of said department; provided, that the provisions of sections nine G and nine H relating to the health of employees shall be enforced by the department of labor and industries in accordance with such rules and regulations as it may prescribe. Sections nine G, nine H, nine J and nine M shall not apply to retail stores where bakery products are sold but not produced.

Sanitary
condition
of bakeries
regulated.

Section 9G. Every bakery shall be constructed, drained, lighted, ventilated and maintained in a clean and sanitary condition, and when and where necessary screened against flies; shall have plumbing and drainage facilities, together with suitable wash basins, wash sinks and toilets or water closets, which shall be kept in a clean and sanitary condition. The said toilets or water closets shall be in rooms having no direct connection with any room in which bakery products or ingredients are prepared, stored, handled or displayed.

Workers'
rooms.

Section 9H. In connection with every bakery suitable rooms shall be provided for the changing and hanging of the wearing apparel of the workers or employees, which shall be separate and apart from the work, storage and sales rooms, and shall be kept in a clean and sanitary condition.

Use of
premises
limited.

Section 9I. No person shall sit, lie or lounge or be permitted to sit, lie or lounge upon any of the tables, shelves, boxes or other equipment or accessories used in connection with the production, preparation, packing, storing, display or sale of bakery products. No animals or fowls shall be kept in or permitted to enter any building or part thereof used for such production, preparation, packing, storing, display or sale.

Sanitary regu-
lations for
employees.

Section 9J. Before beginning the work of preparing, mixing or handling any ingredients used in the production of bakery products, every person engaged in such work shall wash the hands and arms, and, after using toilets or water closets, shall wash the hands and arms thoroughly and then rinse in clean water; and for this purpose the owner or operator of the bakery shall provide sufficient facilities.

Inspection
of premises.

Section 9K. If, after inspection, it is found that a bakery is not constructed, maintained, operated or the distribution of its products not conducted in accordance with sections two to six, inclusive, and sections nine F to nine J, inclusive, written notice shall be given to the owner or manager, stating the delinquency, and fixing a reasonable time within which the same shall be remedied and for hearing any party in interest.

Closing of
bakery.

Section 9L. If a bakery is unfit for the production or handling of food or dangerous to the health of its employees, the department of public health or local board may order it closed; provided, that any person aggrieved may be heard before said department or board, and may also appeal be-

Appeal.

fore or after the execution of the order, but within thirty days after its issue, to the superior court.

Section 9M. No new bakeries shall be established unless the building plans and equipment proposed to be used have been approved by the local board of health. The board shall refuse a permit for such bakery if the building and equipment do not comply with sections two to six, inclusive, and sections nine F to nine J, inclusive, and rules and regulations made thereunder; provided, that any party in interest may appeal to the department of public health or to the superior court. Said department or court may affirm, reject or modify the findings of the board, and said board shall thereupon proceed in accordance with the order of the court or department.

Bakeries hereafter established subject to certain sections.

SECTION 4. Section ten of said chapter ninety-four, as so appearing, is hereby amended by inserting after the word "inclusive" in the second line the words: — , or sections nine F to nine M, inclusive, — so as to read as follows: —

G. L. (Ter. Ed.), 94, § 10, amended.

Section 10. Whoever violates any provision of sections two to nine, inclusive, or sections nine F to nine M, inclusive, or of any rule or regulation adopted thereunder, or whoever fails or refuses to comply with any request for information made under authority of said sections, shall be punished by a fine of not more than one hundred dollars.

Penalties.

SECTION 5. Section three hundred and five A of said chapter ninety-four, as so appearing, is hereby amended by striking out, in the second and third lines, the words "or sections thirty-four to forty-nine, inclusive, of chapter one hundred and eleven", — so as to read as follows: — *Section 305A.* Unless another penalty is provided under this chapter, whoever for the purpose of sale manufactures, prepares, packs, cans, bottles, keeps, exposes, stores, handles, serves, or distributes in any manner, food in or from an unclean, unsanitary or unhealthful establishment, place or vehicle or under unclean, unsanitary or unhealthful conditions shall be punished for the first offence by a fine of not more than one hundred dollars and for a subsequent offence by a fine of not more than five hundred dollars. The provisions of this section relative to the keeping or exposing for sale of food shall not apply in any city or town where rules and regulations made by its board of health under section one hundred and forty-six, or corresponding provisions of earlier laws, are in force. For the purposes of this section, the word "food" shall mean and include all articles, whether simple, mixed or compound, used or intended to be used for food or drink, confectionery or condiment, by human beings, except milk and cream.

G. L. (Ter. Ed.), 94, § 305A, amended.

General penalty for improper manufacture of food.

SECTION 6. Sections thirty-four to forty-three, inclusive, and sections forty-six to forty-nine, inclusive, of chapter one hundred and eleven of the General Laws, and the caption preceding said section thirty-four, as so appearing, are hereby repealed.

G. L. (Ter. Ed.), 111, §§ 34-43, 46-49, repealed.

Effect of
certain
sections.

SECTION 7. The provisions of sections one to five, inclusive, of this act, so far as they are the same as those of existing statutes, shall be construed as a continuation thereof and not as new enactments. *Approved May 26, 1937.*

Chap. 363 AN ACT FURTHER REGULATING THE AWARDING OF CERTAIN CONTRACTS BY THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

Chapter two hundred and forty of the acts of eighteen hundred and ninety-nine is hereby amended by inserting after section forty-six B, inserted therein by section one of chapter three hundred and eight of the acts of nineteen hundred and thirty-two, the following new section:—*Section 46C.* No contract or order for the performance of labor or for the purchase of apparatus, supplies or materials, except in cases of special emergency involving the health or safety of the people or their property, shall be awarded by the city unless and until the city auditor has certified on said contract or order that there is an unencumbered balance in the appropriation chargeable therefor sufficient to cover the cost of said labor, apparatus, supplies or materials, as the case may be. *Approved May 26, 1937.*

Chap. 364 AN ACT RELATIVE TO CERTAIN PETITIONS FOR LEGISLATION AFFECTING CERTAIN CORPORATIONS.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 3, § 5,
amended.

SECTION 1. Section five of chapter three of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "structures" in the eleventh line the words:— in or, — so as to read as follows:—*Section 5.* Whoever intends to present to the general court a petition for the incorporation of a city or town, for the annexation of one municipality to another, for the consolidation of two or more municipalities or for the division of an existing municipality, or for the incorporation or revival of a railroad, street railway, elevated railroad, canal, telephone, telegraph, water, gas, electric light, power or other public service corporation, for the amendment, alteration or extension of the charter or corporate powers or privileges, or for the change of name, of any such company, whether specially incorporated or organized under general laws, or for authority to take water for a water supply, or relative to building structures in or over navigable or tide waters, shall give notice of such petition by publishing a copy thereof once in each of three successive weeks in such newspapers as the state secretary, having regard to the locality of the interests involved in such petition, shall direct, the last publication to be made at least twenty-four days before the session at which the petition is to be presented. Such petition with a bill embodying in sub-

Notice of
certain peti-
tions to be
published.

stance the legislation petitioned for shall be deposited on or before the third Saturday of December in the office of the state secretary, with proof of publication satisfactory to him, and he shall file said petition and bill forthwith with the clerk of the house of representatives, with his endorsement that the required publication has been made.

Every petition seeking as aforesaid the incorporation or revival or change of name of a public service corporation and every petition by or on behalf of such a corporation seeking as aforesaid legislation otherwise amending, altering or extending the charter or corporate powers or privileges of such a corporation shall be accompanied by a fee of twenty-five dollars which shall be paid to the commonwealth.

SECTION 2. Said chapter three of the General Laws is hereby amended by striking out section six, as so appearing, and inserting in place thereof the following:— *Section 6.* Any petition to the general court for the incorporation of a college, university or other educational institution with power to grant degrees, or for an amendment to the charter of any existing educational institution which will give it such power, which is seasonably filed in the office of the clerk of either branch and is accompanied by a bill embodying in substance the legislation petitioned for, shall, with said accompanying bill, be transmitted as soon as may be by the clerk of the branch in which they were filed to the office of the commissioner of education; and said commissioner shall forthwith notify the petitioners of the requirements of this section. The petitioners shall give notice of the petition by publishing a copy thereof once in each of three successive weeks in such newspapers as said commissioner may designate, the last publication to be made not more than twenty-four days after the date of such notification; and the petitioners shall, not later than the seventh day following the date of such last publication, file with said commissioner satisfactory evidence that a copy of the petition has been so published. Said commissioner shall, not later than March first following, return said petition and bill to the clerk of the branch in which they were originally filed, together with his recommendations relative thereto.

SECTION 3. Said chapter three is hereby further amended by striking out section seven, as so appearing, and inserting in place thereof the following:— *Section 7.* Any petition to the general court for the establishment or revival, or for the amendment, alteration or extension of the charter or corporate powers or privileges, or for the change of name, of any corporation, except a petition subject to the provisions of section five or six, which is seasonably filed in the office of the clerk of either branch and is accompanied by a bill embodying in substance the legislation petitioned for, shall, with said accompanying bill, be transmitted as soon as may be by the clerk of the branch in which they were filed to the office of the commissioner of corporations

G. L. (Ter. Ed.), 3, § 6, amended.

Petitions for incorporation of educational institutions.

G. L. (Ter. Ed.), 3, § 7, amended.

Petitions for legislation affecting corporations not subject to §§ 5 and 6.

and taxation. The petition shall specifically set forth the facts showing why the object sought cannot be accomplished under the general laws, shall contain the business or mailing address of the petitioner and, if such petition relates to a corporation organized or to be organized for purposes of business or profit, shall be accompanied by a fee of twenty-five dollars, which shall be paid to the commonwealth. If the petition fails so to set forth the facts required above, or if the petitioner fails to pay a fee in a case where a fee is required, said commissioner shall forthwith notify the petitioner by registered mail of such failure and such petitioner shall within ten days from the date of such notification comply with the requirements of this section. If at the expiration of such period the petitioner shall have failed so to comply, said commissioner shall return the petition and bill to the clerk of the branch in which they were originally filed, with a statement that the petitioner has failed to comply with this section. If the petition is not so returned, said commissioner shall, not later than the thirtieth day following the date of receipt thereof, return the same with the accompanying bill to the clerk of the branch in which they were originally filed, together with a memorandum stating whether or not, in his opinion, the object sought may be accomplished under the general laws or whether the same requires legislation. He may also insert in said memorandum any other relevant statement which, in his opinion, might be of assistance to the general court in passing on the petition.

Approved May 26, 1937.

Chap. 365 AN ACT RELATIVE TO THE PUBLICATION OF CERTAIN INFORMATION FOR BOARDS OF HEALTH BY THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 111, § 24, amended.

Section twenty-four of chapter one hundred and eleven of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out all after the word "department" in the fifth line and inserting in place thereof the following:— The department shall also publish every five years for distribution among the boards of health throughout the commonwealth a manual of the laws relating to boards of health in the commonwealth, together with such information upon the same subject as it may deem expedient. The cost of such publications shall be paid out of the appropriation for general expenses of the department, — so as to read as follows:— *Section 24.* The said department may publish for general distribution such parts of its annual report and such other matter as it may deem adapted to promote the interests of the public health in the commonwealth; provided, that the expense of such publication is paid out of the appropriation for the general

Department to publish certain information.

expenses of the department. The department shall also publish every five years for distribution among the boards of health throughout the commonwealth a manual of the laws relating to boards of health in the commonwealth, together with such information upon the same subject as it may deem expedient. The cost of such publications shall be paid out of the appropriation for general expenses of the department.

Approved May 26, 1937.

AN ACT RELATIVE TO THE FILLING OF VACANCIES IN THE SCHOOL COMMITTEE OF THE CITY OF BOSTON. Chap.366

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter three hundred and forty-nine of the acts of nineteen hundred and five is hereby amended by striking out the last sentence and inserting in place thereof the following:—If a vacancy occurs in the school committee by failure to elect, or otherwise, the mayor, the president of the city council and the remaining members of the school committee shall meet in joint convention and choose a suitable person to fill the vacancy until the first Monday in January following the next regular biennial municipal election; and if there would be a vacancy on said first Monday it shall be filled at such regular biennial municipal election for the balance of the unexpired term. A person so chosen in joint convention shall not be eligible for election to the office of member of the school committee at the regular biennial municipal election next following his being so chosen.

SECTION 2. This act shall take effect upon its passage.

Approved May 27, 1937.

AN ACT PROHIBITING DISCRIMINATION AGAINST CERTAIN PERSONS IN EMPLOYMENT ON ACCOUNT OF THEIR AGE. Chap.367

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and forty-nine of the General Laws, as amended by chapter seventy-eight of the acts of nineteen hundred and thirty-six, is hereby further amended by inserting after the word "industries" in the twentieth line the following new paragraph:—

G. L. (Ter. Ed.), 149, § 1, etc., amended.

"Discrimination", dismissal from employment of, or refusal to employ, any person between the ages of forty-five and sixty-five because of his age.

"Discrimination" defined.

SECTION 2. Said chapter one hundred and forty-nine is hereby further amended by inserting after section twenty-four, under the caption DISCRIMINATION AGAINST CERTAIN PERSONS IN EMPLOYMENT ON ACCOUNT OF AGE, the ten following new sections:—

G. L. (Ter. Ed.), 149, new sections 24A-24J, added.

Section 24A. It is hereby declared to be against public policy to dismiss from employment any person between the

Discrimination on account of age prohibited.

ages of forty-five and sixty-five, or to refuse to employ him, because of his age.

Contract discriminating in respect to age illegal.

Section 24B. Any provision in any contract, agreement or understanding entered into on or after October first, nineteen hundred and thirty-seven, which shall prevent or tend to prevent the employment of any person between the ages of forty-five and sixty-five because of his age shall be null and void.

Department to investigate complaints.

Section 24C. The department shall investigate all complaints of discrimination, and for that purpose the commissioner or his authorized representative shall have full power and authority (1) to investigate and ascertain the age of each person employed within the commonwealth and (2) to enter any place of business or employment within the commonwealth for the purpose of examination and making a transcript of records in any way appertaining to or having a bearing upon the question of the age of any person so employed.

Employers to keep records.

Section 24D. Every person shall keep true and accurate records of the ages of all persons employed by him, as far as practicable to do so, and shall upon demand furnish to the commissioner or his authorized representative a true copy of any such record, verified upon oath. Such records shall be open to investigation by the commissioner or his authorized representative at any reasonable time. Whoever violates any provision of this section shall be punished by a fine of not less than twenty-five nor more than one hundred dollars, and each day of failure to keep such records or to furnish such copies thereof, upon demand, to the commissioner or his authorized representative shall constitute a separate offence.

Penalty for interfering with inspector.

Section 24E. Whoever hinders or delays an inspector of the department, or a duly authorized representative of the commissioner, in the performance of his duties in the investigation of a complaint under any provision of sections twenty-four A to twenty-four J, inclusive, or who refuses to admit any such inspector or representative to any place necessary for him to enter in the performance of such duty, or whoever refuses to give such inspector or representative such information that he may require for the proper enforcement of any provision of said sections, shall be punished by a fine of not less than twenty-five nor more than two hundred dollars.

General penalty.

Section 24F. Whoever, personally or by his agent, shall discharge an employee for the reason that such employee has furnished evidence in connection with a complaint under any provision of said sections twenty-four A to twenty-four J, inclusive, or that such employee has testified in a judicial proceeding under any such provision, shall be punished by a fine of not less than fifty nor more than two hundred dollars.

Hearing.

Section 24G. If the commissioner or any of his authorized representatives has reason to believe that any employer has

dismissed from employment or has refused to employ any person between the ages of forty-five and sixty-five because of his age, the commissioner may, on ten days' notice, summon such employer to appear before him to show cause why the name of such employer should not be published as having failed to observe the provisions of sections twenty-four A to twenty-four J, inclusive. After such hearing and the finding by the commissioner of non-observance of the provisions of said sections, the commissioner may cause to be published in a newspaper or newspapers circulating within this commonwealth or in such other manner as such commissioner may deem appropriate, the name of such employer as having failed to observe the provisions of said sections. Neither the commissioner nor any of his authorized representatives, nor any newspaper publisher, proprietor, editor, nor employee thereof shall be liable to an action for damages for publishing the name of any employer as provided for in this section, unless guilty of some wilful misrepresentation.

Section 24H. Any person aggrieved by any decision of the commissioner under any provision of sections twenty-four A to twenty-four G, inclusive, may appeal to the superior court, for a review thereof within thirty days after the recommendation of such decision. Sections sixteen to twenty, inclusive, of chapter one hundred and fifty-one shall apply to and govern any such appeal. Appeal.

Section 24I. Sections twenty-four A to twenty-four H, inclusive, shall not apply to persons employed in private domestic service or service as a farm laborer. Application of certain sections.

Section 24J. If any part or subdivision of any of sections twenty-four A to twenty-four I, inclusive, or the application thereof, shall be held invalid, unconstitutional or inoperative as to any particular person, condition or circumstance, the remainder thereof, or the application of any such part or subdivision to any other person, condition or circumstance, shall not be affected thereby. Invalidity of certain sections, effect of.

Approved May 27, 1937.

AN ACT AUTHORIZING THE CITY OF BOSTON TO PENSION *Chap. 368*
DANIEL J. McDONALD.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, the city of Boston may retire Daniel J. McDonald, who has served the city faithfully in its police department since the year nineteen hundred and nineteen and is now permanently disabled for further performance of duty by reason of injuries received in the year nineteen hundred and thirty-three in the performance of duty, on an annual pension, payable monthly, equal to the salary received by him during the last year of his active service.

SECTION 2. This act shall take full effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved May 27, 1937.

Chap.369 AN ACT RELATIVE TO THE DISTRIBUTION OF RECEIPTS FROM THE INCOME TAX TO THE TOWN OF SAVOY.

Emergency preamble.

Whereas, The deferred operation of this act would in part defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. In the distribution of the proceeds of income taxes under section eighteen of chapter fifty-eight of the General Laws, as amended, there shall be distributed each year to the town of Savoy, in addition to its normal share, the sum of two thousand dollars to be applied by the assessors in reduction of the local tax for the amounts required for state and county taxes and charges and the appropriation voted for teachers' salaries.

SECTION 2. The distribution provided by section one of this act shall be made in the current year and thereafter.

Approved May 28, 1937.

Chap.370 AN ACT PROVIDING FOR PAYMENT OF WORKMEN'S COMPENSATION IN CERTAIN CASES OF SUN STROKE, FROST BITE, ASSAULT AND SUICIDE.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 152, § 26, amended.

Payments in certain cases of sun stroke, etc.

SECTION 1. Section twenty-six of chapter one hundred and fifty-two of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following: —, and if an employee while acting in the course of his employment receives injury resulting from frost bite or sun stroke, without having voluntarily assumed increased peril not contemplated by his contract of employment, or is injured by reason of the physical activities of fellow employees in which he does not participate, whether or not such activities are associated with the employment, such injury shall be conclusively presumed to have arisen out of the employment.

SECTION 2. Said chapter one hundred and fifty-two is hereby further amended by inserting after section twenty-six the following new section: — *Section 26A.* Dependents shall not be precluded from recovery under this chapter, nor shall the insurance company be relieved from making pay-

G. L. (Ter. Ed.), 152, new section 26A, added.

Suicide, when not a defence for insurance companies.

ment to the commonwealth under section sixty-five, for death by suicide of the employee, if it be shown by the weight of the evidence that, due to the injury, the employee was of such unsoundness of mind as to make him irresponsible for his act of suicide.

Approved May 28, 1937.

AN ACT REMOVING CERTAIN RESTRICTIONS AS TO THE PAYMENT OF DIVIDENDS IN LIQUIDATION OF CERTAIN CLOSED BANKS.

Chap. 371

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

Chapter one hundred and twenty-two of the acts of nineteen hundred and thirty-two is hereby amended by striking out section one and inserting in place thereof the following: —
Section 1. The commissioner of banks, hereinafter called the commissioner, is hereby authorized to pay to creditors entitled thereto, from time to time, out of the proceeds of loans made as provided in section two, dividends in the liquidation of any bank, trust company or other corporation, the property and business of which is in his possession under sections twenty-two to thirty-six, inclusive, of chapter one hundred and sixty-seven of the General Laws, hereinafter referred to as such bank. Such dividends may be paid at such time or times as the supreme judicial court for the county of Suffolk or for the county in which such bank has its principal office may authorize or direct.

Approved May 28, 1937.

AN ACT RELATIVE TO HUNTING ON AND OTHER USES OF THE PROVINCE LANDS AT PROVINCETOWN.

Chap. 372

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and fourteen of chapter one hundred and thirty-one of the General Laws, as most recently amended by section two of chapter eighty-nine of the acts of the current year, is hereby further amended by adding at the end the words: — , or to the province lands at Provincetown under the supervision of the department of public works except with respect to deer, — so that the last paragraph will read as follows: —

G. L. (Ter.
Ed.), 131,
§ 114, etc.,
amended.

This section shall not apply to state forests acquired under section thirty or thirty-three of chapter one hundred and thirty-two or any other provision of law, or to state parks and reservations under the control of the division of parks of the department, or to the province lands at Provincetown under the supervision of the department of public works except with respect to deer.

Hunting on
public lands
regulated.

G. L. (Ter.
Ed.), 91, § 27,
amended.

SECTION 2. Section twenty-seven of chapter ninety-one of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end thereof the following new paragraph:—

Rules.

The department may make rules and regulations relative to hunting on or other uses of the province lands; provided, that such rules and regulations shall be consistent with all laws in relation to the protection of birds and mammals. No such regulation shall prohibit hunting within said lands except the hunting of deer. Whoever violates any provision of any such rule or regulation shall be punished by a fine of not more than twenty-five dollars.

Approved May 28, 1937.

Chap. 373 AN ACT PROVIDING FOR THE KEEPING OF A REGISTER OF PERSONS EMPLOYED IN STATE PRINTING AND BINDING.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 5, § 1,
etc., amended.

Section one of chapter five of the General Laws, as amended by chapter two hundred and fifty-four of the acts of nineteen hundred and thirty-two, is hereby further amended by adding at the end the following two new paragraphs:—

State print-
ing, register
of persons
employed in.

Every contractor or sub-contractor engaged in any work to which this section applies shall keep a true and accurate register of all printers and binders employed thereon, showing the name, address and occupational classification of each employee on said work, and the hours worked by, and the wages paid to, each such employee, and shall furnish to the commission upon its request a true statement of the contents of such register. Such records shall be kept in such manner as the commission shall prescribe, and shall be open to inspection by any authorized representative of the commission or of the department of labor and industries at any reasonable time and as often as may be necessary.

Whoever, either himself or as an agent, superintendent or foreman for another, violates any provision of this section shall be punished for a first offence by a fine of not less than twenty-five nor more than one hundred dollars, and, for a subsequent offence, by a fine of not less than fifty nor more than two hundred dollars. Whoever shall have been convicted of a violation of any of said provisions may be barred by the commission from contracting, directly or indirectly, with the commonwealth for printing and binding work, or from performing any work on the same as sub-contractor.

Approved May 28, 1937.

AN ACT PROVIDING FOR CO-OPERATION WITH THE FEDERAL GOVERNMENT IN CARRYING OUT THE PROVISIONS OF THE SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT AND DESIGNATING THE MASSACHUSETTS STATE COLLEGE AS THE AGENCY OF THE COMMONWEALTH TO CARRY OUT CERTAIN PURPOSES SPECIFIED IN SAID ACT. *Chap. 374*

Be it enacted, etc., as follows:

SECTION 1. The Massachusetts state college, hereinafter called the college, is hereby designated, subject to the approval of the secretary of agriculture of the United States, as the agency of the commonwealth to carry out certain purposes of the act of congress known as the Soil Conservation and Domestic Allotment Act, hereinafter called the Federal Act, and to administer any state plan or plans authorized by this act which shall be approved for this commonwealth by said secretary pursuant to the provisions of said federal act. In carrying out any provisions of this act the college shall act through the board of trustees referred to in section twenty of chapter fifteen of the General Laws, unless otherwise specifically provided in this act.

SECTION 2. The college is hereby authorized, empowered and directed to formulate and to submit to said secretary, in conformity with the provisions of said federal act, a state agricultural plan or plans for each calendar year beginning with the year nineteen hundred and thirty-eight. The college shall also appoint a committee of five, to be called the state committee, a majority of the members of which shall be farmers. The commissioner of agriculture shall be a member, ex officio, of said committee. The college shall administer said plan or plans with the advice of said committee.

It shall be the purpose of every such plan to promote such utilization of land and such farming practices as the college shall find will tend, in conjunction with the operation of such other plans as may be approved by such other states and by said secretary, to (1) preserve and improve soil fertility; (2) promote the economic use and conservation of land; (3) diminish the exploitation and wasteful and unscientific use of soil resources; and (4) re-establish and maintain the ratio between the purchasing power of the net income per person on farms and of the net income per person not on farms, as more particularly set forth in section seven (a) of said federal act.

Every such plan shall provide for adjustments in the utilization of land and in farming practices, either through agreements with producers or through other voluntary methods, and for benefit payments in connection therewith; and also for such methods of administration as are not in conflict with any law of this commonwealth and for such reports as may be necessary for the effective administration of any such plan and for ascertaining whether it is being carried out according to its terms.

SECTION 3. The commonwealth hereby signifies its acceptance of the annual grants of money made or to be made by the federal government under any provision of said federal act, and the college is hereby designated as the agency for the commonwealth to receive on behalf of the commonwealth of Massachusetts such grants annually or otherwise as determined by said secretary. The college, acting through its trustees, is hereby authorized to use and expend such funds in accordance with the pertinent provisions of said federal act and in furtherance of the purposes and objects therein set forth.

SECTION 4. In carrying out the provisions of any such plan the college, with the advice of the state committee, may employ such agents or agencies, and may establish such agencies, as it may deem necessary; may co-operate with local and state agencies and with agencies of other states and of the federal government; may conduct research and educational activities in connection with the formulation and operation of any such plan; and may enter into agreements with producers, and provide by other voluntary methods, for adjustments in the utilization of land and in farming practices, and for payments in connection therewith in amounts which the college, with the advice of the state committee, determines to be fair and reasonable.

SECTION 5. For the purpose of carrying out any such plan, the college may delegate any of the powers herein conferred upon it to such agent or agents, agency or agencies, as it, with the approval of said secretary, may designate.

SECTION 6. The college shall annually render to the governor and to the general court a report of its doings under authority of this act, covering its administration of each such plan and all operations thereunder, including every expenditure of federal funds. Such report shall be subject to section six of chapter five of the General Laws.

SECTION 6A. Nothing in this act shall be construed to impose any financial obligation upon the commonwealth.

SECTION 7. This act shall take effect on January first, nineteen hundred and thirty-eight.

Approved May 28, 1937.

Chap. 375 AN ACT RELATIVE TO TREATMENT AGAINST RABIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 140, § 145A, etc., amended.

Chapter one hundred and forty of the General Laws is hereby amended by striking out section one hundred and forty-five A, as amended by section nine of chapter three hundred and twenty of the acts of nineteen hundred and thirty-four, and inserting in place thereof the following: — *Section 145A.* The board of health of a city or town shall, upon application, furnish free of charge to any resident thereof who has been exposed to rabies, or may have been so exposed, anti-rabic vaccine and anti-rabic treatment, in

Boards of health to furnish anti-rabic vaccine.

accordance with rules and regulations which the department of public health is hereby authorized to make. Except in Boston, such person shall have the right to select his own physician, who shall be paid by the city or town at a rate established as hereinafter provided, and the fact that a physician is a member of a board of health shall not disqualify him from being so selected and from being paid by the city or town for his services. Boards of health shall establish rates of compensation for such treatment. A city or town so furnishing vaccine and treatment shall be reimbursed for the cost thereof, not exceeding fifty dollars in the case of any one person, from the dog fund of the county in which is situated the city or town where the person treated was exposed to rabies, except that if such exposure occurred in Suffolk county such reimbursement shall be made by the city or town where such person was exposed to rabies, and except that if such vaccine and treatment are given by the board of health of a city or town because of a bite by or other exposure to rabies from a dog required to be licensed therein, the city or town shall not be so reimbursed, unless such dog is licensed at the time of such bite or other exposure. No such reimbursement shall include any part of the salary of a salaried city or town physician. The county commissioners of all counties except Suffolk, acting jointly, or the county commissioners of each county, except Suffolk, shall contract for the supplying of such vaccine to the several cities and towns on the order of their respective boards of health, and shall, from time to time, notify said boards of the terms and conditions of contracts made hereunder. No city or town shall be reimbursed hereunder at a price higher than that fixed by contract as aforesaid for such vaccine purchased by it.

Approved May 28, 1937.

AN ACT AUTHORIZING THE TOWN OF WARREN TO BORROW
MONEY FOR TOWN HALL BUILDING PURPOSES.

Chap. 376

Be it enacted, etc., as follows:

SECTION 1. For the purpose of reconstructing the tower on its town hall building and of making incidental repairs on said building, the town of Warren may borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary not exceeding, in the aggregate, ten thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Warren Town Hall Loan, Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates. Indebtedness incurred under this act shall be within the statutory limit and shall, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. This act shall take effect upon its acceptance by a majority of the voters of the town of Warren present and voting thereon at any regular or special town meeting held within three years after its passage.

Approved May 28, 1937.

Chap.377 AN ACT RELATIVE TO THE FEES FOR THE REGISTRATION OF SEMI-TRAILER UNITS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 90, § 33, etc., amended.

Registration fees of semi-trailer units.

Section thirty-three of chapter ninety of the General Laws, as amended, is hereby further amended by striking out subdivisions (2) and (3), as amended by section one of chapter three hundred and eighty of the acts of nineteen hundred and thirty-six, and inserting in place thereof the following:—(2) For the registration of every non-gasoline driven tractor which is a part of a semi-trailer unit used for the transportation of goods, wares or merchandise, fifty cents for every hundred pounds of the weight of the tractor and of the weight of the heaviest semi-trailer with which such tractor is combined and operated, plus the maximum carrying capacity of such semi-trailer, and for the registration of every gasoline driven tractor which is a part of a semi-trailer unit so used, fifteen cents for every hundred pounds of the weight of such tractor and of the weight of the heaviest semi-trailer with which such tractor is combined and operated, plus the maximum carrying capacity of such semi-trailer, but in no event less than forty dollars in the case of a non-gasoline driven tractor which is a part of a semi-trailer unit so used or twelve dollars if gasoline driven. (3) For the registration of every semi-trailer drawn by a tractor registered under subdivision (2), five dollars.

Approved May 28, 1937.

Chap.378 AN ACT ESTABLISHING THE SALARIES OF THE JUSTICE AND THE CLERK OF THE DISTRICT COURT OF EASTERN HAMPSHIRE.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 218, § 76, etc., amended.

Salaries of justices in certain district courts.

SECTION 1. Section seventy-six of chapter two hundred and eighteen of the General Laws, as most recently amended by section one of chapter three hundred and sixty-six of the acts of nineteen hundred and thirty-five, is hereby further amended by adding at the end the following:— ; district court of eastern Hampshire, twenty-one hundred dollars, — so as to read as follows:— *Section 76.* The salary of the justice of the Boston juvenile court shall be five thousand dollars, and that of the clerk of said court an amount equal to seventy-five per cent of the salary of the justice. The salary of the justice of the municipal court of the Charlestown district shall be forty-five hundred dollars. The salary

of the justice of the municipal court of the South Boston district shall be forty-five hundred dollars. The salaries of the justices of the following district courts shall severally be as follows: First district court of Barnstable, twenty-seven hundred dollars; second district court of Essex, twenty-four hundred dollars; second district court of Plymouth, thirty-two hundred dollars; third district court of Plymouth, twenty-five hundred dollars; fourth district court of Plymouth, twenty-five hundred dollars; district court of Peabody, three thousand dollars; district court of eastern Hampshire, twenty-one hundred dollars.

SECTION 2. Section eighty of said chapter two hundred and eighteen, as most recently amended by section one of chapter two hundred and twenty-nine of the acts of nineteen hundred and thirty-six, is hereby further amended by inserting after the word "Peabody" in the fourteenth line the following:—, the district court of eastern Hampshire,— so as to read as follows:— *Section 80.* The salary of the clerk of the municipal court of the Charlestown district shall be equal to seventy-five per cent of the salary established for the justice of said court, and the salary of the first assistant clerk shall be equal to seventy-five per cent, and the salary of the second assistant clerk shall be equal to sixty-six and two thirds per cent, of the salary of said clerk. The salary of the clerk of the municipal court of the South Boston district shall be equal to seventy-five per cent of the salary established for the justice of said court, and the salary of the assistant clerk shall be equal to seventy-five per cent of the salary of said clerk. The salaries of the clerks of the first district court of Barnstable, the second district court of Essex, the district court of Peabody, the district court of eastern Hampshire and the second, third and fourth district courts of Plymouth shall be equal to seventy-five per cent of the salaries established for the justices of their respective courts.

Approved May 28, 1937.

G. L. (Ter. Ed.), 218, § 80, etc., amended.

Salaries of clerks and assistants.

AN ACT ESTABLISHING THE SALARIES OF THE CHAIRMAN AND CERTAIN OTHER MEMBERS OF THE BOARD OF REGISTRATION IN MEDICINE.

Chap. 379

Be it enacted, etc., as follows:

Section eleven of chapter thirteen of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "dollars" in the tenth line the words:—, to the chairman of the board a salary of eight hundred dollars,— and also by striking out, in the same line, the word "three" and inserting in place thereof the word:— six,— so as to read as follows:— *Section 11.* Said board shall hold regular meetings on the second Tuesdays of March, July and November in each year, and additional meetings at such times and places as it may determine. At the regular meeting in July, it shall organize by the choice of a chair-

G. L. (Ter. Ed.), 13, § 11, amended.

Meetings, salaries of members, etc.

man and secretary, who shall hold their offices for one year. The secretary shall give bond to the state treasurer in the sum of five thousand dollars, with sufficient sureties to be approved by the governor and council, for the faithful performance of his official duties. There shall be paid by the commonwealth to the secretary of the board a salary of twenty-five hundred dollars, to the chairman of the board a salary of eight hundred dollars, to each of the other members thereof a salary of six hundred dollars, and to each member thereof his necessary traveling expenses actually incurred in attending the meetings of the board.

Approved May 28, 1937.

Chap. 380 AN ACT RELIEVING THE CITIES OF LYNN AND REVERE AND THE TOWN OF SAUGUS FROM THE OBLIGATION OF PAYING THE COMPENSATION OF THE DRAW TENDERS EMPLOYED AT THE GENERAL CLARENCE R. EDWARDS BRIDGE, AND RELIEVING THE MUNICIPALITIES OF THE METROPOLITAN PARKS DISTRICT OF THE COST OF MAINTENANCE OF SAID BRIDGE AND ITS APPROACH.

Be it enacted, etc., as follows:

Section four of chapter two hundred and forty-one of the acts of nineteen hundred and thirty-two is hereby amended by striking out all after the word "commission" in the fifth line, — so as to read as follows:— *Section 4.* When the work herein authorized shall have been completed, said bridge and the approach at the southerly end thereof connecting with the metropolitan parkway shall be transferred to the control of the metropolitan district commission.

Approved May 28, 1937.

Chap. 381 AN ACT EXEMPTING FROM CERTAIN LAWS REGULATING THE USE OF THE HIGHWAYS BY MOTOR VEHICLES FOR TRANSPORTING PROPERTY IN THE COMMONWEALTH AND TO THE SUPERVISION AND CONTROL OF SUCH MOTOR VEHICLES AND SUCH TRANSPORTATION CERTAIN MOTOR VEHICLES OWNED BY THE COMMONWEALTH AND ITS POLITICAL SUBDIVISIONS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 159B, § 10, etc., amended.

Exemptions.

Chapter one hundred and fifty-nine B of the General Laws is hereby amended by striking out section ten, as amended by section five of chapter three hundred and forty-five of the acts of nineteen hundred and thirty-six, and inserting in place thereof the following:— *Section 10.* There shall be exempted from the provisions of this chapter, other than the provisions of section nine, (1) motor vehicles while engaged exclusively in work for any branch of the government of the United States, and motor vehicles owned by the commonwealth or any department, board or commission thereof or any county, city, town or district thereof, and (2) motor vehicles while engaged exclusively in the delivery of the

United States mail; and there shall be exempted from the provisions of said section nine motor vehicles while engaged exclusively in work for any branch of the government of the United States, including the delivery of the United States mail, to such extent, if any, as may be required under the constitution and laws of the United States.

Approved May 28, 1937.

AN ACT RELATIVE TO THE TIME AT WHICH COMPENSATION SHALL BEGIN TO BE PAID UNDER THE WORKMEN'S COMPENSATION LAW.

Chap.382

Be it enacted, etc., as follows:

Chapter one hundred and fifty-two of the General Laws is hereby amended by striking out section twenty-nine, as amended by chapter three hundred and seventy-two of the acts of nineteen hundred and thirty-five, and inserting in place thereof the following: — *Section 29.* No compensation shall be paid for any injury which does not incapacitate the employee from earning full wages for a period of at least seven days. If incapacity extends for a period of two weeks or more, compensation shall be paid from the day of injury, otherwise from the eighth day thereafter; provided, that, except under section thirty-five, no compensation shall be paid for any period for which any wages were earned. When compensation shall have begun it shall not be discontinued except with the written assent of the employee, or with the approval of the department or a member thereof, granted only after an impartial examination or after a personal interview with the employee by a member or employee of the department or after failure of the employee to report for or submit to such examination or interview after reasonable notice by the department; provided, that such compensation shall be paid in accordance with section thirty-five if the employee in fact earns wages after the original agreement or decision is filed.

G. L. (Ter. Ed.), 152, § 29, etc., amended.

Waiting period under compensation law.

Approved May 28, 1937.

AN ACT RELATIVE TO THE TAXATION OF DOMESTIC MANUFACTURING CORPORATIONS AND FOREIGN MANUFACTURING CORPORATIONS.

Chap.383

Be it enacted, etc., as follows:

SECTION 1. Chapter sixty-three of the General Laws is hereby amended by striking out section thirty-eight C, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 38C.* Every corporation organized under or subject to chapter one hundred and fifty-six which is engaged in manufacturing shall, for the purposes of this chapter, be deemed to be a domestic manufacturing corporation. Every domestic manufacturing corporation shall be taxed in the same manner and shall have the same duties under this chapter as a domestic business corporation,

G. L. (Ter. Ed.), 63, § 38C, amended.

Taxation of domestic manufacturing corporations.

except in so far as the determination of the excise under this chapter may be affected by reason of the exemption from local taxation of the machinery of a domestic manufacturing corporation. All provisions of this chapter relative to the assessment, collection, payment, abatement, verification and administration of taxes, including penalties, applicable to domestic business corporations shall, so far as pertinent, be applicable to taxes upon domestic manufacturing corporations.

G. L. (Ter. Ed.), 63, § 42B, amended.

Taxation of foreign manufacturing corporations.

SECTION 2. Said chapter sixty-three is hereby further amended by striking out section forty-two B, as so appearing, and inserting in place thereof the following: — *Section 42B.* Every corporation, association or organization established, organized or chartered under laws other than those of the commonwealth, which has a usual place of business in the commonwealth and is engaged in manufacturing therein, shall, for the purposes of this chapter, be deemed a foreign manufacturing corporation. Every foreign manufacturing corporation shall be taxed in the same manner and shall have the same duties under this chapter as other foreign corporations, except in so far as the determination of the excise under this chapter may be affected by reason of the exemption from local taxation of the machinery of a foreign manufacturing corporation. All provisions of this chapter relative to the assessment, collection, payment, abatement, verification and administration of taxes, including penalties, applicable to other foreign corporations shall, so far as pertinent, be applicable to taxes upon foreign manufacturing corporations.

Application of act.

SECTION 3. This act shall apply to taxes assessed in or on account of the year nineteen hundred and thirty-eight and thereafter.

Approved May 28, 1937.

Chap. 384 AN ACT REPEALING THE LAW PROVIDING FOR PARTY PRIMARIES AND PRE-PRIMARY CONVENTIONS OF POLITICAL PARTIES, AND REVIVING AND CONTINUING IN FORCE CERTAIN OTHER LAWS.

Be it enacted, etc., as follows:

SECTION 1. All provisions of chapter three hundred and ten of the acts of nineteen hundred and thirty-two, providing for party primaries and for pre-primary conventions, and all other laws relative to such primaries or to such conventions, or to both, are hereby repealed. All provisions of law which have been struck out or amended by said chapter three hundred and ten or by any other law relative to such primaries or conventions, or both, are hereby revived as they existed immediately prior to such striking out or amendment, subject, however, to all subsequent amendments not relating to such primaries or conventions, all of which subsequent amendments are hereby continued in force.

SECTION 2. This act shall take effect upon December first in the current year.

Approved May 28, 1937.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, BOSTON, May 28, 1937.

Honorable FREDERIC W. COOK, *Secretary of the Commonwealth,
State House.*

SIR: — I, Charles F. Hurley, by virtue of and in accordance with the provisions of the Forty-eighth Amendment to the Constitution, "The Referendum II, Emergency Measures" do declare that in my opinion, the immediate preservation of the public peace, health, safety and convenience requires that the law passed on the twenty-eighth day of May, in the year nineteen hundred and thirty-seven, entitled "An Act repealing the Law providing for Party Primaries and Pre-Primary Conventions of Political Parties, and Reviving and Continuing in Force Certain Other Laws" should take effect forthwith, that it is an emergency law, and that the facts constituting the emergency are as follows:

Because its delayed operation to the date set forth in the Act will result in inconvenience to the public and to State, City and Town officials, acting on behalf of the public who in the process of their deliberations on and framing of their annual budgets must be certain as to the financial requirements for each budget item involving public expenditures for governmental activities.

Very truly yours,
CHARLES F. HURLEY,
Governor.

OFFICE OF THE SECRETARY, BOSTON, May 28, 1937.

I hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at five o'clock and nineteen minutes P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter three hundred and eighty-four, acts of nineteen hundred and thirty-seven.

F. W. COOK,
Secretary of the Commonwealth.

AN ACT PROVIDING FOR CERTAIN AMENDMENTS IN THE LAWS
REGULATING THE OCCUPATION OF HAIRDRESSING, AND
LIMITING THE TIME WITHIN WHICH CERTAIN ACTIONS
AGAINST REGISTERED HAIRDRESSERS AND CERTAIN OPER-
ATORS AND REGISTERED SHOPS MAY BE COMMENCED. *Chap. 385*

Be it enacted, etc., as follows:

SECTION 1. Section forty-three of chapter thirteen of the General Laws, inserted by section one of chapter four hundred and twenty-eight of the acts of nineteen hundred and thirty-five, is hereby amended by adding at the end the following: — ; provided, that inspectors or investigators

G. L. (Ter.
Ed.), 13, § 43,
etc., amended.

Chairman,
etc., powers
of board.

appointed by the board shall be registered hairdressers, — so as to read as follows: — *Section 43.* The board shall hold regular meetings at the state house on the second Tuesday of January, May and October in each year, and such additional meetings at such times and places as it may determine. At the regular meeting in January it shall annually organize by the choice of a chairman and a secretary who shall be members of the board. Before entering upon the discharge of the duties of his office, the secretary shall give to the state treasurer a bond, in such amount and with such sureties as shall be approved by the governor and council, upon the recommendation of the board, conditioned upon the faithful discharge of his duties. Such bond, with the approval of the governor and council and with the oath of office endorsed thereon, shall be filed in the office of the state secretary. The board shall have a common seal, and the members thereof may administer oaths. The board may appoint such agents and employees as the work of the board may require; provided, that inspectors or investigators appointed by the board shall be registered hairdressers.

G. L. (Ter.
Ed.), 112,
§ 87U, etc.,
amended.

Students to
be registered.

SECTION 2. Section eighty-seven U of chapter one hundred and twelve of the General Laws, inserted by section two of said chapter four hundred and twenty-eight, is hereby amended by striking out the last sentence and inserting in place thereof the following: — A school or shop shall not pay a student for any services rendered by him. The board shall make such reasonable rules and regulations as may be necessary to insure a proper course of training for apprentices in shops, — so as to read as follows: — *Section 87U.* All students enrolled in registered schools and all apprentices employed or studying in registered shops shall, within fifteen days after entering upon their courses of study, be registered with the board by such schools or shops. Students at registered schools and apprentices at registered shops may, within such fifteen day period, register with the board. No fee shall be required for such registration. No student or apprentice shall practice hairdressing or manicuring upon any paying customer, except to assist a registered hairdresser or operator who is working on such customer. A school or shop shall not pay a student for any services rendered by him. The board shall make such reasonable rules and regulations as may be necessary to insure a proper course of training for apprentices in shops.

G. L. (Ter.
Ed.), 112,
§ 87V, etc.,
amended.

Examination
of operators,

SECTION 3. Section eighty-seven V of said chapter one hundred and twelve, as so inserted, is hereby amended by adding at the end the following: — Any person making application for examination hereunder may be allowed to practice as an operator until the next examination by the board, and the board may grant, without charge, a permit authorizing him to practice as such operator until such next examination, and the board may extend such permit until a subsequent examination by the board, — so as to read as follows: — *Section 87V.* Any registered student who has

completed a course of at least six months, including at least one thousand hours of professional training, in a school approved by the board, and any registered apprentice who in the opinion of the board has received the equivalent of such a course, if such registrant after application accompanied by an examination fee of five dollars for a first examination or three dollars for a second or subsequent examination, passes an examination satisfactory to the board, may be registered by the board as an operator, and as such may practice hairdressing for compensation under the supervision of a registered hairdresser during the period of such original registration, and thereafter, upon payment annually of a renewal fee of two dollars. Any person making application for examination hereunder may be allowed to practice as an operator until the next examination by the board, and the board may grant, without charge, a permit authorizing him to practice as such operator until such next examination, and the board may extend such permit until a subsequent examination by the board.

fee, registration.

SECTION 4. Section eighty-seven W of said chapter one hundred and twelve, as so inserted, is hereby amended by inserting after the word "hairdressing" in the seventh line the words:— in a registered shop, — so as to read as follows:— *Section 87W.* Any operator who has had not less than six months practical experience as such, and who, after application accompanied by an examination fee of ten dollars for a first examination or five dollars for a second or subsequent examination, passes a practical examination satisfactory to the board, may be registered by the board as a hairdresser, and thereafter may practice hairdressing in a registered shop for compensation and may supervise operators, without additional payment for the period during which such person was originally registered as an operator, and thereafter upon payment annually of a hairdresser's renewal fee of two dollars.

G. L. (Ter. Ed.), 112, § 87W, etc., amended.

Registration of hairdressers, examination, fee, etc.

SECTION 5. Section eighty-seven Z of said chapter one hundred and twelve, as so inserted, is hereby amended by striking out in the second line the words "hairdresser or any" and inserting in place thereof the words:— hairdresser, operator or, — by inserting after the word "hairdressers" in the fifth and sixth lines the word: — , operators, — and by inserting after the word "hairdresser" in the eighth line the words:— , fifteen dollars in the case of an operator, — so as to read as follows:— *Section 87Z.* The board may register, without examination, any hairdresser, operator or manicurist who has been registered as such under the laws of another state which, in the opinion of the board, maintains a standard substantially equivalent to that of this commonwealth, and in which hairdressers, operators and manicurists registered in this commonwealth are given like recognition, upon payment of a fee of twenty dollars, in the case of a hairdresser, fifteen dollars in the case of an operator, and five dollars in the case of a manicurist.

G. L. (Ter. Ed.), 112, § 87Z, etc., amended.

Registration without examination.

Any person who has completed in another state, or in a school in this commonwealth supported by public funds, a course of professional training, substantially equivalent to that required by section eighty-seven V, and who, after application accompanied by an examination fee of five dollars for a first examination or three dollars for a second or subsequent examination, passes an examination satisfactory to the board, may be registered by the board as an operator.

G. L. (Ter.
Ed.), 112,
§ 87BB, etc.,
amended.

SECTION 6. Section eighty-seven BB of said chapter one hundred and twelve, as so inserted, is hereby amended by adding at the end the following:—Any registered hairdresser who has had not less than three years practical experience as such, and who, after application accompanied by an examination fee of fifteen dollars for a first examination or ten dollars for a second or subsequent examination, passes an examination satisfactory to the board, may be registered by the board as an instructor, and thereafter may instruct in hairdressing in any registered school during the period of original registration, and thereafter, upon payment annually of a renewal fee of two dollars.

No person not so registered may instruct in hairdressing in any registered school except as authorized by the board.

Registered
school.

The board may make such reasonable rules and regulations as are necessary for the proper conduct of schools, qualifications of instructors, courses of study, and hours of study, and as to standards of professional training, — so as to read as follows:—*Section 87BB.* The board may register any school which it approves, upon payment of a school registration fee of fifty dollars, and such school may annually be registered upon payment of a renewal fee of twenty-five dollars; provided, that standards of professional training satisfactory to the board are there maintained and a sufficient course is there given. Any registered hairdresser who has had not less than three years practical experience as such, and who, after application accompanied by an examination fee of fifteen dollars for a first examination or ten dollars for a second or subsequent examination, passes an examination satisfactory to the board, may be registered by the board as an instructor, and thereafter may instruct in hairdressing in any registered school during the period of original registration, and thereafter, upon payment annually of a renewal fee of two dollars.

No person not so registered may instruct in hairdressing in any registered school except as authorized by the board.

The board may make such reasonable rules and regulations as are necessary for the proper conduct of schools, qualifications of instructors, courses of study, and hours of study, and as to standards of professional training.

SECTION 7. Said chapter one hundred and twelve is hereby further amended by striking out section eighty-seven EE, as so inserted, and inserting in place thereof the following:—*Section 87EE.* The board, under such reasonable rules and regulations as it may make, may for cause,

G. L. (Ter.
Ed.), 112,
§ 87EE, etc.,
amended.

Suspension of
registration.

including unprofessional conduct, fraud, deceit or misrepresentation in practice or in advertising, habitual drunkenness, gross incompetence, or for violation of any of the provisions of sections eighty-seven T to eighty-seven JJ, inclusive, or any rule or regulation made thereunder, suspend or cancel any registration granted under said sections eighty-seven T to eighty-seven JJ, inclusive; provided, that before any registration shall be so suspended or cancelled the registrant shall have had notice in writing of the charge or charges against him or it, and, at a day specified in said notice, which shall be at least five days after the service of notice thereof, shall have been given a public hearing and an opportunity to present testimony in his or its behalf, and to confront the witnesses against him or it. The mailing of a registered letter, postage prepaid, containing a notice of such hearing, and addressed to the registrant at his or its address in this commonwealth as it appears in his or its registration, shall be a sufficient service of such notice, and said five days shall begin to run from the day of such mailing.

The board may compel the attendance of witnesses and the production of documents at any such hearing.

SECTION 8. Section eighty-seven II of said chapter one hundred and twelve, as so inserted, is hereby amended by inserting after the word "board" in the third line the following:— or unless granted a permit by the board under section eighty-seven V, — so as to read as follows:—*Section 87II.* Whoever engages in or follows, or attempts to engage in or follow, the occupation of hairdressing or manicuring, unless duly registered by the board or unless granted a permit by the board under section eighty-seven V, and whoever conducts, or attempts to conduct, a shop or school not so registered, and whoever violates any provision of sections eighty-seven T to eighty-seven HH, inclusive, or any rule or regulation made under authority thereof, shall, in addition to any other penalty prescribed or authorized by said sections, be punished by a fine of not more than one hundred dollars.

G. L. (Ter. Ed.), 112, § 87II, etc., amended.

Penalty.

SECTION 9. Section four of chapter two hundred and sixty of the General Laws, as most recently amended by section four of chapter two hundred and ninety-one of the acts of nineteen hundred and thirty-four, is hereby further amended by inserting after the word "sanitaria" in the eighth line the words:—, hairdressers, operators and shops registered under sections eighty-seven T to eighty-seven JJ, inclusive, of chapter one hundred and twelve, — so as to read as follows:—*Section 4.* Actions for assault and battery, false imprisonment, slander, actions against sheriffs, deputy sheriffs, constables or assignees in insolvency for the taking or conversion of personal property, actions of tort for injuries to the person against counties, cities and towns, and actions of contract or tort for malpractice, error or mistake against physicians, surgeons, dentists, optometrists, hospi-

G. L. (Ter. Ed.), 260, § 4, etc., amended.

Limitation of certain actions.

tals and sanitarium, hairdressers, operators and shops registered under sections eighty-seven T to eighty-seven JJ, inclusive, of chapter one hundred and twelve, shall be commenced only within two years next after the cause of action accrues; and actions for libel and actions of tort for bodily injuries or for death the payment of judgments in which is required to be secured by chapter ninety and also actions of tort for bodily injuries or for death or for damage to property against officers and employees of the commonwealth, of the metropolitan district commission, and of any county, city or town, arising out of the operation of motor or other vehicles owned by the commonwealth, including those under the control of said commission, or by any such county, city or town, suits by judgment creditors in such actions of tort under section one hundred and thirteen of chapter one hundred and seventy-five and clause (10) of section three of chapter two hundred and fourteen and suits on motor vehicle liability bonds under section thirty-four G of said chapter ninety shall be commenced only within one year next after the cause of action accrues.

Application
of preceding
section.

SECTION 10. Section nine of this act shall apply only to causes of action accruing subsequent to the effective date of this act.

Approved May 28, 1937.

Chap. 386 AN ACT TO PROVIDE FOR THE FUNDING BY THE CITY OF WALTHAM OF CERTAIN OVERPAYMENTS OF TAXES ASSESSED TO THE WALTHAM WATCH COMPANY.

Be it enacted, etc., as follows:

SECTION 1. The city of Waltham, for the purposes set forth in section two of this act, may issue from time to time bonds or notes to an amount not exceeding, in the aggregate, one hundred and fifty thousand dollars, which shall bear on their face the words, City of Waltham Tax Funding Loan, Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. The sums raised by authority of this act shall be used only for the purpose of paying to the Waltham Watch Company, a Massachusetts corporation, so much of the taxes assessed upon real estate and machinery used in the conduct of its business in the years nineteen hundred and thirty-one, nineteen hundred and thirty-two, nineteen hundred and thirty-three, nineteen hundred and thirty-four, nineteen hundred and thirty-five and nineteen hundred and thirty-six as may be lawfully abated by the board of tax appeals or by the board of assessors of said city. Payments

for the purposes herein specified shall be made upon the order of the mayor.

SECTION 2A. Chapter three hundred and sixty-one of the acts of nineteen hundred and thirty-six is hereby repealed.

SECTION 3. This act shall take full effect upon its acceptance by the city council of the city of Waltham by a majority vote of the members thereof present and voting thereon.
Approved May 28, 1937.

AN ACT RELATIVE TO SERVICE OF PROCESS ON CERTAIN DEFENDANTS IN MOTOR VEHICLE ACCIDENT CASES. *Chap. 387*

Be it enacted, etc., as follows:

Chapter ninety of the General Laws is hereby amended by striking out section three C, as appearing in the Tercentenary Edition, and inserting in place thereof the following: —

Section 3C. Service of process under section three A or three B shall be made by leaving a copy of the process with a fee of two dollars in the hands of the registrar, or in his office, and by giving the defendant notice in either the manner provided in paragraph (1) or in that provided in paragraph (2) hereof, and such service shall be sufficient service upon a defendant who has under either of said sections appointed the registrar or his successor his true and lawful attorney therefor.

G. L. (Ter. Ed.), 90, § 3C, amended.

Service of process.

(1) If the defendant is known by the plaintiff to be the holder of a motor vehicle registration or operator's license issued by another state or country, notice of such service upon the registrar as attorney for the defendant and a copy of the process shall forthwith be sent by registered mail, with return receipt requested, by the plaintiff to the defendant at his address of record in the office from which such registration or license was issued. The plaintiff's affidavit of compliance herewith, and the defendant's return receipt, if received by the plaintiff, shall be filed in the case on or before the return day of the process or within such further time as the court may allow. If the defendant has no motor vehicle registration or license known to the plaintiff, such notice and copy shall be sent in the same manner to the last address of the defendant known to the plaintiff, and affidavit of compliance herewith, and the defendant's return receipt or other proof of actual notice, shall be filed in the case within the time above provided.

(2) Notice of such service upon the registrar and a copy of the process shall be served upon the defendant, if found within the commonwealth, by a sheriff or deputy sheriff of any county of this commonwealth, or, if found without the commonwealth, by any duly constituted public officer qualified to serve like process in the state or jurisdiction where the defendant is found, and the officer's return showing such service to have been made shall be filed in the case on or

before the return day of the process or within such further time as the court may allow.

(3) The court in which the action is pending may order such continuances as may be necessary to afford the defendant reasonable opportunity to defend the action.

Approved May 28, 1937.

*Chap.*388 AN ACT AUTHORIZING THE CITY OF SOMERVILLE TO PAY CERTAIN BILLS OF THE YEAR NINETEEN HUNDRED AND THIRTY-FIVE.

Be it enacted, etc., as follows:

SECTION 1. The city of Somerville is hereby authorized to appropriate money for the payment of, and to pay, such of the unpaid bills against the city included as deferred accounts of nineteen hundred and thirty-five in the report for that year of the auditor of said city, a copy of which is on file in the office of the director of accounts in the department of corporations and taxation, as are legally unenforceable against said city by reason of its failure to comply with the provisions of its charter; provided, that no such appropriation shall be made in any year after the establishment of the tax rate for that year.

SECTION 2. No bill or payroll shall be approved for payment or paid under authority of this act unless and until certificates have been signed and filed with the auditor of said city, as hereinafter provided, stating under the penalties of perjury that the goods, materials or services for which bills have been submitted were ordered by an official or employee of said city and that such goods and materials were delivered and actually received by said city or that such services were rendered to said city, or both.

Every such certificate that goods, materials or services were so ordered shall be signed and filed by the official or employee of said city who ordered the same or by any official or employee of said city; every such certificate of delivery to said city of goods or materials shall be signed and filed by the vendor thereof, and if such vendor is a corporation shall be signed and filed by the treasurer thereof; every such certificate that goods or materials were received by said city shall be signed and filed by an official or employee of said city; and every such certificate of services rendered to said city shall be signed and filed by the person who rendered such services.

In every instance where the original purchase order or contract was in writing, each certificate filed hereunder shall be accompanied by the original purchase order or contract, or by a certified copy thereof if the original is not available.

SECTION 3. This act shall take full effect upon its acceptance, during the current year, by vote of the city council of said city, subject to the provisions of its charter; but not otherwise.

Approved May 28, 1937.

AN ACT PROVIDING FOR THE ACQUISITION AND DEVELOPMENT OF APREMONT PARK IN THE CITY OF WESTFIELD AS A WAR MEMORIAL AND THE REMOVAL THERETO OF A CERTAIN EXISTING MEMORIAL. *Chap.389*

Be it enacted, etc., as follows:

The county commissioners of Hampden county are hereby authorized to acquire by purchase or take by eminent domain under chapter seventy-nine of the General Laws, and to develop, landscape and thereafter maintain as a war memorial, a certain tract of land on Apremont road in the city of Westfield, thereafter to be known as Apremont park. Said commissioners, with the consent of said city, may remove to said park an existing war memorial situated in and belonging to said city. For the purpose of establishing said war memorial as aforesaid, there shall be contributed by the commonwealth such sum, not exceeding two thousand dollars, as may hereafter be appropriated. After the state treasurer is satisfied that sums sufficient, with said contribution by the commonwealth, to provide for the acquisition, development and landscaping of said tract, and the removal thereto of said existing war memorial, have been provided by the county commissioners and allocated by the federal government therefor, the sum so appropriated shall be paid by the state treasurer to the treasurer of said county. Said city of Westfield may at any time, with the consent of the county commissioners of said county, assume and take over the maintenance of said Apremont park.

Approved May 28, 1937.

AN ACT RELATIVE TO THE RENEWAL OF MOTOR VEHICLE LIABILITY POLICIES OR BONDS, SO CALLED, IN CERTAIN CASES. *Chap.390*

Be it enacted, etc., as follows:

Chapter one hundred and seventy-five of the General Laws is hereby amended by inserting after section one hundred and thirteen E, inserted by chapter sixty-one of the acts of nineteen hundred and thirty-four, the following new section: —

Section 113F. Any company which does not intend to issue a motor vehicle liability policy or to execute or act as surety on a motor vehicle liability bond, both as defined in section thirty-four A of chapter ninety, for the ensuing year in favor of the insured or the principal named in an existing policy or bond issued or executed by it shall, if said policy or bond is in full force and effect on November tenth, give written notice of its said intent on or before November fifteenth as hereinafter provided. Such notice shall, except as hereinafter provided, be sent either to said insured or principal or to the insurance agent of the company or the insurance broker who negotiated the issue of the policy or the execution

G. L. (Ter. Ed.), 175, new section 113F, added.

Renewal of motor vehicle liability policies, etc.

of the bond. If the certificate, as defined in said section thirty-four A, in respect to such policy or bond was executed by or on behalf of an insurance agent of the company, such notice shall be sent to the said insurance agent. If when said notice is to be sent any such insurance agent is not then so licensed, the company shall send such notice to the said insured or principal. Such notice shall be in a form satisfactory to the commissioner.

Every such insurance agent or broker receiving such a notice from a company shall, on or before December first, send a copy of such notice to the insured or the principal, unless another company has executed a certificate, as defined in said section thirty-four A, evidencing the issue or the execution of a policy or bond for the ensuing year covering the motor vehicle or vehicles specified in the existing policy or bond.

If the commissioner is satisfied that an insurance agent or broker has failed to send a copy of the notice as hereinbefore provided he may revoke any license issued to such agent or broker under section one hundred and sixty-three and section one hundred and sixty-six.

Any company failing to send a notice as hereinbefore provided shall upon the request of such insured or principal issue a new policy or execute a new bond as surety covering said insured or principal and the same motor vehicle or vehicles for the ensuing year, subject, however, to the right of such company to cancel such policy or bond in accordance with its terms; except that a company may, subject to section one hundred and thirteen D, refuse to issue such a new policy or execute such a new bond as surety, if the facts upon which such refusal is based were not known by such company prior to October fifteenth of the then current year or may refuse so to do if, after the issue by the company of a written notice of cancellation of such existing policy or bond, the board of appeal on motor vehicle liability policies and bonds, subsequent to said October fifteenth, has found in favor of the company upon a complaint filed under said section one hundred and thirteen D.

The giving of a notice under this section shall not preclude an application, by the person named as the insured or the principal in the existing policy or bond, for such a policy or bond for the ensuing year, and, if the company does not within seven days after such an application issue or execute such a policy or bond, the applicant may file a complaint as provided in and subject to said section one hundred and thirteen D.

Nothing in this section shall be construed to affect any of the provisions of said section one hundred and thirteen D.

Approved May 28, 1937.

AN ACT TRANSFERRING TO THE COMMONWEALTH THE RESPONSIBILITY FOR TREATMENT OF CERTAIN PERSONS SUFFERING FROM GONORRHEA OR SYPHILIS. *Chap.391*

Be it enacted, etc., as follows:

Chapter one hundred and eleven of the General Laws is hereby amended by striking out section one hundred and seventeen, as amended by chapter one hundred and fifty-five of the acts of nineteen hundred and thirty-five, and inserting in place thereof the following: — *Section 117.* For the purpose of providing treatment for persons suffering from gonorrhea or syphilis, and who are unable to pay for private medical care, the department shall, or with the co-operation of local boards of health, hospitals, dispensaries or other agencies may, establish and maintain clinics in such parts of the commonwealth as it may deem most advantageous to the public health, and may otherwise provide treatment for such diseases subject to such rules and regulations as the department may from time to time establish. Cities and towns, separately or jointly, through their boards of health or municipal hospitals, may establish and maintain such clinics. For the purposes of this section, providing treatment shall include providing transportation or the reasonable cost of such transportation to and from the place where treatment is given whenever the patient is not able to pay for such transportation.

Approved May 28, 1937.

G. L. (Ter. Ed.), 111, § 117, etc., amended.

Treatment of venereal diseases.

AN ACT PERMITTING THE ADMISSION TO STATE SANATORIA AND COUNTY TUBERCULOSIS HOSPITALS FOR PURPOSES OF DIAGNOSIS AND OBSERVATION, OF CERTAIN PATIENTS WITH DISEASES OF THE LUNGS OTHER THAN RECOGNIZABLE TUBERCULOSIS. *Chap.392*

Be it enacted, etc., as follows:

Chapter one hundred and eleven of the General Laws is hereby amended by inserting after section sixty-six, as amended, the following new section: — *Section 66A.* Upon written application of a registered physician, any state sanatorium or county tuberculosis hospital may admit for diagnosis and observation, subject to such rules and regulations as the department may prescribe, such persons with lung diseases other than recognizable tuberculosis, who have resided in the commonwealth for at least two years within the period of three years immediately prior to the date of such application. Any such patient may be discharged from such sanatorium or hospital, prior to the expiration of sixty days after admission, either upon his own request or upon determination of the department or the board of health of the city or town in which such patient resides, or, in any event, upon the expiration of sixty days after admission; and the provisions of sections sixty-six and eighty-

G. L. (Ter. Ed.), 111, new section 66A, added.

Admission to state sanatoria, etc., of patients with diseases of the lungs.

eight relative to the support of inmates in state sanatoria and patients in county tuberculosis hospitals, respectively, shall apply in the case of patients admitted under this section.

Approved May 28, 1937.

Chap.393 AN ACT PROVIDING FOR THE HOSPITALIZATION OF PATIENTS WITH CHRONIC RHEUMATISM.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 111, new section 116A, added.

Hospitalization of patients with rheumatism.

Chapter one hundred and eleven of the General Laws is hereby amended by inserting after section one hundred and sixteen, as appearing in the Tercentenary Edition, under the title CHRONIC RHEUMATISM, the following new section:— *Section 116A.* The department, subject to rules and regulations approved by the commission on administration and finance, may provide for the care and treatment of persons suffering from chronic rheumatism for a period not exceeding six months in case of any one such person, and said department may enter into contracts with one or more existing hospitals within any metropolitan district for the care and treatment of such patients; provided, that not more than twenty-five such patients may be cared for or treated under this section at any one time.

Approved May 28, 1937.

Chap.394 AN ACT INCREASING THE AMOUNT TO BE PAID INTO THE TREASURY OF THE COMMONWEALTH IN CERTAIN CASES OF INDUSTRIAL ACCIDENTS RESULTING IN DEATH.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 152, § 65, etc., amended.

Special fund for payments in industrial accident cases.

Section sixty-five of chapter one hundred and fifty-two of the General Laws, as most recently amended by chapter one hundred and sixty-two of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out, in the fourth line, the words "five hundred" and inserting in place thereof the words:—one thousand,—so as to read as follows:— *Section 65.* For every case of personal injury resulting in death covered by this chapter, when there are no dependents, the insurance company shall pay into the treasury of the commonwealth one thousand dollars. Such payments shall constitute a special fund in the custody of the state treasurer who shall make payments therefrom upon the written order of the department for the purposes set forth in section thirty-seven.

Approved May 28, 1937.

Chap.395 AN ACT RELATIVE TO THE TAXATION OF INCOMES AND OF CERTAIN BUSINESS AND MANUFACTURING CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and seven of the acts of nineteen hundred and thirty-three is hereby amended

by striking out section nine, as most recently amended by section one of chapter eighty-two of the acts of nineteen hundred and thirty-six, and inserting in place thereof the following: — *Section 9.* Income received by any inhabitant of the commonwealth during the years nineteen hundred and thirty-three, nineteen hundred and thirty-four and nineteen hundred and thirty-five from dividends on shares in all corporations, joint stock companies and banking associations, organized under the laws of this commonwealth or under the laws of any state or nation, except co-operative banks, building and loan associations and credit unions chartered by the commonwealth, and except savings and loan associations under the supervision of the commissioner of banks, and income received by any inhabitant of the commonwealth during the years nineteen hundred and thirty-six, nineteen hundred and thirty-seven and nineteen hundred and thirty-eight from such dividends, other than stock dividends paid in new stock of the company issuing the same, shall be taxed at the rate of six per cent per annum. Inhabitant of the commonwealth shall include (a) estates and fiduciaries specified in sections nine, ten, thirteen and fourteen of chapter sixty-two of the General Laws, as appearing in the Tercentenary Edition, (b) partnerships specified in section seventeen of said chapter sixty-two, as so appearing, and (c) partnerships, associations or trusts, the beneficial interest in which is represented by transferable shares, specified in paragraphs entitled First, Second and Third of subsection (c) of section one of said chapter sixty-two, as amended. Except as otherwise provided in this section, the provisions of chapter sixty-two of the General Laws, as amended, shall apply to the taxation of income received by any such inhabitant during said years. Subsection (b) of section one of said chapter sixty-two shall not apply to income received during said years.

SECTION 2. Said chapter three hundred and seven is hereby further amended by striking out section nine A, as amended by section two of chapter four hundred and eighty-nine of the acts of nineteen hundred and thirty-five, and inserting in place thereof the following: — *Section 9A.* The credit for dividends paid to inhabitants of this commonwealth by foreign corporations provided by section forty-three of chapter sixty-three of the General Laws in determining the tax leviable on such corporations under paragraph (2) of section thirty-nine of said chapter sixty-three shall not be allowed to foreign corporations or to foreign manufacturing corporations in respect to dividends so paid in the years nineteen hundred and thirty-three, nineteen hundred and thirty-four, nineteen hundred and thirty-five, nineteen hundred and thirty-six, nineteen hundred and thirty-seven and nineteen hundred and thirty-eight.

SECTION 3. Said chapter three hundred and seven is hereby further amended by striking out section ten, as amended by section three of said chapter four hundred and

eighty-nine, and inserting in place thereof the following: — *Section 10.* Every corporation organized under the laws of this commonwealth, and every corporation doing business therein, including every banking association organized under the laws of any state or nation, and every partnership, association or trust the beneficial interest in which is represented by transferable shares, doing business in the commonwealth unless the dividends paid on its shares are exempt from taxation under said section one of said chapter sixty-two shall in nineteen hundred and thirty-four, nineteen hundred and thirty-five, nineteen hundred and thirty-six, nineteen hundred and thirty-seven, nineteen hundred and thirty-eight and nineteen hundred and thirty-nine file with the commissioner of corporations and taxation, hereinafter called the commissioner, in such form as he shall prescribe, a complete list of the names and addresses of its shareholders as of record on December thirty-first next preceding, or on any other date satisfactory to the commissioner, or in its discretion, of such shareholders as are residents of the commonwealth, together with the number and class of shares held by each shareholder, and the rate of dividends paid on each class of stock for said preceding year. The second paragraph of section thirty-three of said chapter sixty-two shall not apply to returns relative to shareholders receiving dividends in the years nineteen hundred and thirty-three, nineteen hundred and thirty-four, nineteen hundred and thirty-five, nineteen hundred and thirty-six, nineteen hundred and thirty-seven and nineteen hundred and thirty-eight.

SECTION 4. Said chapter three hundred and seven is hereby further amended by striking out section eleven, as amended by section three A of said chapter four hundred and eighty-nine, and inserting in place thereof the following: — *Section 11.* The state treasurer shall, on or before November twentieth, in the years nineteen hundred and thirty-four, nineteen hundred and thirty-five, nineteen hundred and thirty-six, nineteen hundred and thirty-seven, nineteen hundred and thirty-eight and nineteen hundred and thirty-nine, distribute to the several cities and towns, in proportion to the amounts of state tax imposed upon such cities and towns in said years, respectively, the proceeds of the taxes collected by the commonwealth under section nine of this act, after deducting a sum sufficient to reimburse the commonwealth for the expenses incurred in the collection and distribution of said taxes, and for such of said taxes as have been refunded under section twenty-seven of chapter fifty-eight of the General Laws, as appearing in the Tercentenary Edition thereof, during said years, together with any interest or costs paid on account of refunds, which shall be retained by the commonwealth; provided, that the state treasurer may withhold out of the amount to which any city or town would otherwise be entitled as aforesaid so much thereof as is necessary to pay the principal or interest of any bonds or notes issued by such city or town under section two

and then held by the commonwealth and remaining unpaid, and thereafter interest shall be payable only on the balance of such bonds or notes remaining unpaid. Any amount payable to a city or town hereunder shall be included by the assessors thereof as an estimated receipt, and be deducted, in accordance with the provisions of section twenty-three of chapter fifty-nine, from the amount required to be raised by taxation to meet appropriations made in such years for public welfare, soldiers' benefits and maturing debts, in that order.

SECTION 5. Section one of chapter three hundred and seventeen of the acts of nineteen hundred and thirty-four, as amended by section four of said chapter four hundred and eighty-nine, is hereby further amended by striking out the first paragraph and inserting in place thereof the following new paragraph:—

During the years nineteen hundred and thirty-four, nineteen hundred and thirty-five, nineteen hundred and thirty-six, nineteen hundred and thirty-seven, nineteen hundred and thirty-eight and nineteen hundred and thirty-nine, every corporation subject to the provisions of section thirty-eight B of chapter sixty-three of the General Laws, as appearing in the Tercentenary Edition, shall, except as provided in section fifty-six A of said chapter, as amended by section three hereof, pay annually a minimum excise of not less than the amount, if any, by which the sum of (1), (2), (3) and (4) following exceeds six per cent of the dividends paid by such corporation during the year corresponding to that in which the income is received:—

SECTION 6. Any reference in said chapter three hundred and seventeen or in section four of chapter three hundred and sixty-two of the acts of nineteen hundred and thirty-six to section nine of chapter three hundred and seven of the acts of nineteen hundred and thirty-three shall be taken to refer to said section, as most recently amended by section one of this act.

Approved May 28, 1937.

AN ACT AUTHORIZING THE CITY OF LOWELL TO PAY CERTAIN CLAIMS LEGALLY UNENFORCEABLE BY REASON OF FAILURE TO COMPLY WITH CERTAIN PROVISIONS OF LAW. *Chap. 396*

Be it enacted, etc., as follows:

SECTION 1. The city of Lowell is hereby authorized to appropriate a sum of money not exceeding one hundred twenty-eight thousand three hundred dollars and may, with the approval of the mayor of said city, expend the same, or any part thereof, in the payment and discharge of certain unpaid bills against said city which have been listed and recommended for payment in the report of the finance commission of said city to the city council of said city, dated May eleventh, nineteen hundred and thirty-six, on claims against said city contracted in violation of the law which are

legally unenforceable against said city by reason of failure to comply with the provisions of section twenty-eight or twenty-nine of chapter forty-three of the General Laws, or section thirty-one of chapter three hundred and eighty-three of the acts of nineteen hundred and twenty-one, or for any other cause, a copy of which report is on file in the office of the director of the division of accounts in the department of corporations and taxation.

SECTION 2. For the purpose of providing for the above appropriation said city may borrow from time to time, within a period of five years from the passage of this act, sums not exceeding, in the aggregate, one hundred twenty-eight thousand three hundred dollars, and may issue bonds or notes therefor, which shall bear on their face the words City of Lowell loan for the payment of certain claims — Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than five years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit and shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 3. This act shall take full effect upon its acceptance during the current year by vote of the city council of said city, subject to the provisions of its charter, but not otherwise.

Approved May 28, 1937.

Chap. 397 AN ACT PROVIDING FOR THE ACQUISITION OF PROPERTY FOR FLOOD CONTROL PURPOSES IN THE CONNECTICUT RIVER VALLEY, FOR COMPLIANCE BY THE COMMONWEALTH WITH THE INTERSTATE COMPACT RELATIVE THERETO, AND FOR FURTHER STUDY RELATIVE TO SUCH FLOOD CONTROL.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. The department of public works shall be the agency of the commonwealth for the acquisition of lands, easements and rights of way provided for in the compact between the commonwealth and the states of Connecticut, New Hampshire and Vermont relative to flood control in the Connecticut river valley. Said department, upon the request of the Connecticut river valley flood control commission, established by said compact, may take by eminent domain under chapter seventy-nine of the General Laws or acquire by purchase or otherwise, in behalf of the commonwealth, such lands, easements and rights of way, including cemeteries and property held for public use, and including any railroad, electric transmission or distribution lines, telephone or telegraph lines, pipe lines, aqueducts, water

mains, gas mains or other public utility structures located thereon within the commonwealth, as are determined and designated by said flood control commission for the construction of any reservoirs authorized under said compact.

Said department may enter into any agreement or contract with any person, city, town, water district or public utility company providing for the removal of his or its railroad, electric transmission or distribution lines, telephone or telegraph lines, pipe lines, aqueducts, water mains, gas mains or other public utility structures to such new location under such terms and conditions as may be agreed upon and without expense to the owner thereof. For the purpose of providing lands, easements or rights of way for such new location, said department may take property by eminent domain under chapter seventy-nine of the General Laws.

Said department shall keep an accurate account of all expenditures made or incurred in the acquisition of lands, easements and rights of way under any provision of this section, and the same shall be included as part of the cost of acquisition to be paid by said Connecticut river valley flood control commission. Said expenditures shall be made in anticipation of and subject to appropriations.

SECTION 2. Upon the acquisition of such lands, easements and rights of way or parts thereof for the construction of any dam or reservoir authorized under said compact, and the full payment by said Connecticut river valley flood control commission of the cost of acquisition thereof, including all expenditures the inclusion of which is authorized by article VII of said compact, said department in the name of the commonwealth shall make, execute and deliver to said commission a good and sufficient lease for nine hundred and ninety-nine years of such lands, easements and rights of way, upon the conditions and subject to all the provisions and restrictions set forth in article VI of said compact.

SECTION 3. Said department of public works, upon notice from and at the sole expense of said Connecticut river valley flood control commission, shall make such highway relocations as may become necessary because of the construction, operation and maintenance of any dam or reservoir authorized under said compact. Said department shall lay out and construct the new locations in the manner provided by law for the laying out and construction of state highways, and may take property therefor by eminent domain under said chapter seventy-nine; but after the construction of each such relocated highway it shall be a state highway only if the highway of which it is a relocation was a state highway, otherwise it shall be a highway subject to chapters eighty-two and eighty-four of the General Laws and all other provisions of law relative to highways in each county and municipality in which it, or any part thereof, is situated after such relocation.

An accurate record shall be kept of the cost of such relocations, including the cost of acquisition of any lands, ease-

ments and rights of way necessary thereto, and any expense incidental to the same, and the said cost and expense shall be paid by said Connecticut river valley flood control commission in accordance with the terms of said compact; provided, that due allowance shall be made on account of any improved type of construction of such relocated highway. In the event that said department and said commission cannot agree as to the cost and expense to be paid by said commission on account of such highway relocation, either party may apply by petition to the superior court within and for any county wherein such highway as relocated or any part thereof is situated, to fix and determine the same, and, upon hearing, said court shall thereupon ascertain and adjudge the amount thereof, giving the matter precedence over all other civil cases, except as otherwise provided by law.

SECTION 4. Said department of public works is hereby designated the agency, with the approval of the governor, to notify the United States through its war department, before construction work is commenced upon any flood control reservoir authorized under said compact, of the determination by the commonwealth to preserve the value of any such site for the purpose of water conservation, power storage or power development that may be inherent in such site, in order that the dam and works at such site may be so designed and constructed as to provide for the further development thereof as a storage reservoir for the purposes aforesaid. Said department may, with the approval of the governor, enter into contracts or agreements with the United States respecting the terms and conditions under which such rights of water conservation, power storage or power development shall be made available, and may approve on the part of the commonwealth such types of dams and reservoirs and such general plans for their construction, as will provide for such further development in accordance with the terms and provisions of article VIII of said compact.

Said department may acquire in the manner provided in section one such additional lands, easements and rights of way as may be necessary for the full beneficial use of the rights reserved to the commonwealth under the terms of said compact.

In providing for such further development and use of such dams and reservoirs for the purposes reserved to the commonwealth as aforesaid, or in the acquisition of lands, easements or rights of way therefor, or for any flood control reservoir site, said department, with the approval of the governor, may enter into such contracts and agreements with such persons, under such terms and subject to such conditions, as to it shall appear to be for the best interest and advantage of the commonwealth.

Said department, with the approval of the governor, may at any time hereafter, whenever it may determine that any

reservoir constructed under the terms of said compact is desirable or necessary to be used for water conservation, power storage or power development, require the same to be adapted for that purpose in accordance with the provisions of article VIII of said compact.

SECTION 5. All sums required by said compact to be paid by the commonwealth to the Connecticut river valley flood control commission shall be paid by the state treasurer to the treasurer of said commission upon its requisition therefor.

SECTION 6. To meet the expenditures necessary to carry out the provisions of article IX of said compact relating to the payment by the commonwealth to the Connecticut river valley flood control commission of the proportionate share of the commonwealth in the cost of acquisition of lands, easements and rights of way for the dams and reservoirs therein provided as the initial plan, the state treasurer shall upon request of said commission issue and sell, at public or private sale, bonds of the commonwealth registered or with interest coupons attached as he may deem best to an amount to be specified by said commission from time to time, but not in excess of one million, three hundred and fifty thousand dollars in the aggregate, nor in excess of six hundred and seventy-five thousand dollars in any one year. All such bonds shall be designated on their face, — Connecticut River Valley Flood Control Loan, and shall be on the serial payment plan for such maximum term of years as the governor may recommend to the general court in accordance with section 3 of article LXII of the amendments to the constitution of the commonwealth, the maturities thereof to be so arranged that the amount payable each year, other than the final year, shall, as nearly as in the opinion of the state treasurer is practicable, be equal. Said bonds shall bear interest payable semi-annually at such rate as the state treasurer, with the approval of the governor and council, shall fix.

SECTION 7. There may be expended for the compensation of the members of said commission appointed by the commonwealth who do not hold salaried state office and for the necessary expenses of operation and maintenance of structures and appurtenances thereto provided for under said compact such sums as may be annually appropriated therefor.

SECTION 8. The state planning board shall make or cause to be made such studies and investigations of the Connecticut river and its tributaries, with particular reference to the matter of possible flood control reservoir sites on such tributaries and the availability and feasibility of the same in connection with the further extension and expansion of a comprehensive program of flood control contemplated under said compact, as may be necessary to determine the character and location of reservoir sites which would be most beneficial to the commonwealth as a part of such program.

From time to time said board shall report its findings and recommendations upon the foregoing matters to the general court.

Approved May 28, 1937.

*Chap.*398 AN ACT PROTECTING TRADE MARK OWNERS, DISTRIBUTORS AND THE PUBLIC AGAINST INJURIOUS AND UNECONOMIC PRACTICES IN THE DISTRIBUTION OF ARTICLES OF STANDARD QUALITY UNDER A TRADE MARK, BRAND OR NAME.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 93, new sections 14A-14D, added.

Sale of commodities bearing trade marks.

Chapter ninety-three of the General Laws is hereby amended by inserting after section fourteen, as appearing in the Tercentenary Edition, under the heading "Fair Trade", the four following new sections:— *Section 14A.* No contract relating to the sale or resale of a commodity which bears, or the label or container of which bears, the trade mark, brand or name of the producer or owner of such commodity and which is in fair and open competition with commodities of the same general class produced by others shall be deemed in violation of any law of the commonwealth by reason of any of the following provisions which may be contained in such contract:

(1) That the buyer will not resell such commodity except at the price stipulated by the vendor.

(2) That the producer or vendee of a commodity require upon the sale of such commodity to another, that such purchaser agree that he will not, in turn, resell except at the price stipulated by such producer or vendee.

Such provisions in any contract shall be deemed to contain or imply conditions that such commodity may be resold without reference to such agreement in the following cases:

(1) In closing out the owner's stock for the purpose of discontinuing delivery of any such commodity; provided, that such stock is first offered to the manufacturer of such stock at the original invoice stock price, at least ten days before such stock shall be offered for sale to the public.

(2) When the goods are damaged or deteriorated in quality, and notice is given to the public thereof.

(3) By any officer acting under the orders of any court.

Penalty.

Section 14B. Wilfully and knowingly advertising, offering for sale or selling any commodity at less than the price stipulated in any contract entered into pursuant to the preceding section, whether the person so advertising, offering for sale or selling is or is not a party to such contract, is hereby declared to constitute unfair competition and to be actionable at the suit of any person damaged thereby.

Application of sections 14A-14B.

Section 14C. The two preceding sections shall not apply to any contract or agreement between producers or between wholesalers or between retailers as to sale or resale prices.

Law, how cited.

Section 14D. Sections fourteen A to fourteen C, inclusive, may be known and cited as the "Fair Trade Law."

Approved May 28, 1937.

AN ACT ABOLISHING THE EXISTING BOARD OF PAROLE AND
CREATING A PAROLE BOARD AND DEFINING ITS POWERS AND
DUTIES.

Chap.399

Be it enacted, etc., as follows:

SECTION 1. Chapter twenty-seven of the General Laws is hereby amended by striking out section five, as amended by section one of chapter three hundred and fifty of the acts of nineteen hundred and thirty-four, and inserting in place thereof the following:— *Section 5.* There shall be in the department a parole board, consisting of five members, two of whom shall be women. Upon the expiration of the term of office of a member, his or her successor shall be appointed by the governor, with the advice and consent of the council, for five years. The governor shall designate one of the men members as chairman, and said chairman shall receive a salary of fifty-five hundred dollars. The other men members of the board shall each receive a salary of forty-five hundred dollars, and the women members of the board shall each receive a salary of twenty-two hundred and fifty dollars. All the members of the board shall constitute the parole board having jurisdiction of parole matters relating to women, and only the men members of the board shall constitute the parole board having jurisdiction over parole matters relating to men. With the approval of the commissioner, said board may expend annually from the appropriation for contingent and other expenses of the department a sum not exceeding two hundred dollars for examination by physicians of prisoners whose cases come before said board for action.

G. L. (Ter.
Ed.), 27,
§ 5, etc.,
amended.

Board of
parole.

SECTION 2. Chapter one hundred and twenty-seven of the General Laws is hereby amended by striking out section one hundred and twenty-nine, as appearing in the Tercenary Edition, and inserting in place thereof the following:— *Section 129.* The commissioner shall furnish to the parole board all information in his possession relating to any prisoner whose case is under consideration. No permit to be at liberty from the state prison, the Massachusetts reformatory, the reformatory for women, the state prison colony, or the defective delinquent departments of the state farm shall be granted until the prisoner has been seen by said board. The warden and superintendents of the penal institutions of the commonwealth, personally or by a representative, shall be present at all meetings of the parole board at which the board votes upon the matter of the release of any felon or defective delinquent from their respective institutions. Each member of the parole board shall record in clear and concise form the reasons for his or her decision in the matter of granting a permit to be at liberty to a felon or defective delinquent.

G. L. (Ter.
Ed.), 127,
§ 129, amended.

Board to
grant permits
to be at
liberty.

SECTION 3. The board of parole existing on the effective date of this section is hereby abolished, and all books and papers of said board shall upon said date be turned over to the parole board created by this act. All unexpended bal-

Existing board
abolished.

ances of monies heretofore appropriated for said board of parole shall be immediately available for expenditure by said parole board. The employees of said board of parole are hereby transferred to serve under the said parole board without impairment of their civil service status.

Transfer of
powers.

SECTION 4. The powers and duties of the board of parole abolished by this act shall hereafter be exercised and performed by the parole board created by this act, and when used in any statute, rule or regulation, the phrase "board of parole" or any words connoting the same shall mean the said parole board created by this act, unless a contrary intent clearly appears.

Appointment
of members.

SECTION 5. The governor, with the advice and consent of the council, shall forthwith appoint three men and two women to serve as the parole board created by this act for one, two, three, four and five years, respectively, as the governor may designate. Upon the expiration of their respective terms, their successors shall be appointed as provided in section one of this act.

Effective
date.

SECTION 6. Section five of this act shall take effect as soon as said act has the force of law conformably to the constitution and all other provisions thereof shall take effect upon the appointment of the initial members of said parole board as provided in said section five and their qualification.

Approved May 28, 1937.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, BOSTON, May 28, 1937.

Honorable FREDERIC W. COOK, *Secretary of the Commonwealth,
State House.*

SIR: — I, Charles F. Hurley, by virtue of and in accordance with the provisions of the Forty-eighth Amendment of the Constitution, "The Referendum II, Emergency Measures," do declare that in my opinion the immediate preservation of the public peace, health, safety and convenience requires that the law passed on the twenty-eighth day of May, in the year nineteen hundred and thirty-seven, entitled, "An Act abolishing the Existing Board of Parole and creating a Parole Board and defining its Powers and Duties," should take effect forthwith, that it is an emergency law and that the facts constituting the emergency are as follows:

Because the immediate creation of the Board provided for by this Act will afford a greater measure of public safety than the public would receive at the hands of the present membership of the Board, who, although they have been legislated out of office by this Act, retain for at least ninety days, the authority to release men from our Penal Institutions. The usefulness of the present members of the Board has been destroyed by the passage of this Act.

Very truly yours,

CHARLES F. HURLEY,
Governor.

OFFICE OF THE SECRETARY, BOSTON, May 29, 1937.

I hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at twelve o'clock and thirty minutes A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter three hundred and ninety-nine, acts of nineteen hundred and thirty-seven.

F. W. Cook,

Secretary of the Commonwealth.

AN ACT ABOLISHING THE BOARD OF TAX APPEALS AND CREAT-
ING THE APPELLATE TAX BOARD.

Chap. 400

Be it enacted, etc., as follows:

SECTION 1. The board of tax appeals created by section one of chapter fifty-eight A of the General Laws and whose membership was temporarily increased by section one of chapter three hundred and twenty-one of the acts of nineteen hundred and thirty-three, is hereby abolished and the jurisdiction of said board provided by section six of said chapter fifty-eight A or by any other provision of law is hereby transferred to the appellate tax board created by this act.

Existing board
abolished.

SECTION 2. The title of said chapter fifty-eight A is hereby amended by striking out the words "Board of Tax Appeals" and inserting in place thereof the words: — Appellate Tax Board.

G. L. (Ter.
Ed.), 58A,
amended.
Title.

SECTION 3. Said chapter fifty-eight A is hereby further amended by striking out section one, as appearing in the Tercenary Edition, and inserting in place thereof the following: — *Section 1.* There shall be in the department of corporations and taxation, but in no manner subject to the control of the commissioner of said department, an appellate tax board, in this chapter referred to as the board, consisting of five members appointed by the governor, with the advice and consent of the council, who shall be designated in their initial appointments to serve respectively for two, three, four, five and six years from March first in the year of appointment. The governor, with the advice and consent of the council, shall designate one of the members as chairman. Upon the expiration of the term of office of a member, his successor shall be appointed in the manner aforesaid for six years. The chairman of said board shall receive a salary of seventy-five hundred dollars and each other member shall receive a salary of seven thousand dollars. All members of the board shall devote their whole time in office hours to the work of the board.

G. L. (Ter.
Ed.), 58A,
§ 1, amended.
Appellate'
tax board.

No member of the board shall, while he remains a member, act as attorney, counsellor or accountant in any contested matter of taxation before the department of corporations and taxation, before any board of assessors or before the

courts of the commonwealth; but the foregoing shall not be construed to prevent a member of the board from acting outside of office hours of the board as attorney, counsellor or accountant in any tax matters other than those dealing with taxes levied by the commonwealth or by a subdivision thereof. Not more than three members of the board shall be members of the same political party. The majority of the members of the board shall constitute a quorum for the transaction of its business, except that the board may provide by rule for the decision by a single member on appeals from a board of assessors where the assessed value of the property involved in the appeal does not exceed twenty-five thousand dollars, and also in cases where the assessed value exceeds twenty-five thousand but does not exceed fifty thousand dollars when the appellant gives written consent to a decision by a single member. In any such appeal upon the filing of such written consent the appeal shall be advanced for speedy hearing. A vacancy in the board shall not impair its powers nor affect its duties. The board shall have a seal which shall be judicially noticed.

Transfer of
powers.

SECTION 4. The appellate tax board created by this act shall have all the powers heretofore vested in the board of tax appeals abolished by this act, and all references in general laws or in any other provision of law to the said board of tax appeals shall be deemed to refer to the appellate tax board created by this act. No party to a proceeding pending before the said board of tax appeals upon the effective date of this act shall lose any rights by virtue of the transfer of jurisdiction by section one of this act, except the loss of the right to a decision by the majority of the board in cases to be decided by a single member as provided by section one of said chapter fifty-eight A, as amended by section three of this act, and except that such proceeding after the effective date of this act shall be dealt with in all respects by the said appellate tax board instead of by the said board of tax appeals. All appeals, and matters incidental thereto, pending on the effective date of this act before the said board of tax appeals shall be transferred to the said appellate tax board for further disposition in accordance with law. Appeals, and matters incidental thereto, which have been heard by or argued before the said board of tax appeals and upon which no decision has been made, may, by an agreement in writing between the appellant and the appellee, be determined by the said appellate tax board on the pleadings, evidence and arguments filed with or submitted to the said board of tax appeals. The appellate tax board may provide for the publication and sale or distribution of such reports or opinions of the board of tax appeals as are of public interest, in such form and manner as it may deem best adapted for public convenience and use, upon such terms and conditions as may be approved by the governor and council. All unexpended balances of monies heretofore appropriated for the board of tax appeals shall be immediately available for

expenditure by the said appellate tax board. All furniture, equipment, papers and other property now in the possession of the said board of tax appeals shall immediately pass into the possession of the appellate tax board.

SECTION 5. Within forty days after the qualification of a majority of the members of the appellate tax board created by this act the board shall, subject to the approval of the governor and council, appoint and fix the compensation of such employees, including a clerk, as it may deem necessary for the efficient and economical prosecution of the business of the board. So far as is practicable and consistent with the public interest and with the efficient and economical performance of the functions of the board, the persons originally so appointed shall be persons employed in similar positions by the said board of tax appeals on or before December first, nineteen hundred and thirty-six. When so appointed such employees shall retain any step increases from the minimum pay of their grade earned during their service with the said board of tax appeals, and for retirement purposes their service with the commonwealth shall be deemed to be continuous as defined in section one of chapter thirty-two of the General Laws. For all other purposes, the period of employment of any such employee with the said board of tax appeals shall be deemed employment with the appellate tax board. Subject to the foregoing provisions of this section, all employees of the said board of tax appeals on the effective date of this act shall be retained in the employ of the appellate tax board created by this act.

Employees
of board.

SECTION 6. Chapter fifty-nine of the General Laws is hereby amended by striking out section sixty-four, as most recently amended by section two of chapter two hundred and eighteen of the acts of nineteen hundred and thirty-five, and inserting in place thereof the following: — *Section 64.* A person aggrieved by the refusal of assessors to abate a tax may, within sixty days after receiving the notice provided in the preceding section, or within ninety days after the time when the application for abatement is deemed to be refused as hereinafter provided, appeal therefrom by filing a complaint with the clerk of the county commissioners, or of the board authorized to hear and determine such complaints, for the county where the property taxed lies, and if on hearing the board finds that the property has been overrated, it shall make a reasonable abatement and an order as to costs. Whenever a board of assessors, before which an application in writing for the abatement of a tax is or shall be pending, fails to act upon said application, except with the written consent of the applicant, prior to the expiration of four months from the date of filing of such application it shall then be deemed to be refused. If the list of personal property required to be brought into the assessors was not brought in within the time specified in the notice required by section twenty-nine, no tax upon personal property shall be abated unless the board appealed to finds good cause for this delay

G. L. (Ter.
Ed.), 59,
§ 64, etc.,
amended.

Appeals from
refusals to
abate tax.

or unless the assessors have so found as provided in section sixty-one, or unless such tax exceeds by fifty per cent the amount which would have been assessed on such estate, if the list had been seasonably brought in, and in such case only the excess over such fifty per cent shall be abated. A tax or assessment upon real estate may be abated although no list of property was brought in within the time specified by the notice required by section twenty-nine; provided, that the application for an abatement of such a tax or assessment included a sufficient description of the particular real estate as to which an abatement is requested.

Upon the filing of a complaint under this section the clerk of the county commissioners or of the board authorized to hear and determine the same shall forthwith transmit a certified copy of such complaint to the assessors and the assessors or the city solicitor or town counsel may within thirty days after receipt of said copy give written notice to said clerk and to the complainant that the town elects to have the same heard and determined by the appellate tax board. Thereupon, the clerk of the county commissioners or of the board authorized to hear and determine such complaints shall forward all papers with respect to such complaint then in the file of the county commissioners or other such board to the clerk of the appellate tax board and proceedings with respect to such complaint shall thenceforth be continued as provided in chapter fifty-eight A. If upon hearing the appellate tax board finds that the complainant is duly entitled to an abatement, it may grant him such reasonable abatement as justice may require, and shall enter an order directing the treasurer of the town to refund said amount, if the tax sought to be abated has been paid, together with all charges and interest at five per cent on the amount of the abatement from the date of the payment of the tax. The board may make such order with respect to the payment of costs as justice may require.

Temporary provisions.

SECTION 7. For the purposes of the appointment of the members of the appellate tax board created by this act and the organization of said board, this act shall take effect as soon as it has the force of law conformably to the constitution, and for all other purposes it shall take effect upon the qualification of a majority of the members of the said appellate tax board.

Approved May 28, 1937.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, BOSTON, May 28, 1937.

Honorable FREDERIC W. COOK, *Secretary of the Commonwealth, State House.*

SIR:— I, Charles F. Hurley, by virtue of and in accordance with the provisions of the Forty-eighth Amendment of the Constitution, "The Referendum II, Emergency Measures," do declare that in my opinion the immediate preservation of the public peace, health, safety and convenience requires

that the law passed on the twenty-eighth day of May, in the year nineteen hundred and thirty-seven, entitled, "An Act abolishing the Board of Tax Appeals and Creating the Appellate Tax Board," should take effect forthwith, that it is an emergency law and that the facts constituting the emergency are as follows:

Because public convenience will be affected by the continuance in office of the present Board, the inefficiency of which has so impaired its proper functioning and operation to cause a loss of public confidence.

Very truly yours,
CHARLES F. HURLEY,
Governor.

OFFICE OF THE SECRETARY, BOSTON, May 29, 1937.

I hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at twelve o'clock and thirty-one minutes A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter four hundred, acts of nineteen hundred and thirty-seven.

F. W. COOK,
Secretary of the Commonwealth.

AN ACT FURTHER AMENDING THE LAWS RELATIVE TO THE
DETERMINATION AND ESTABLISHMENT OF MINIMUM FAIR
WAGE RATES FOR WOMEN AND CHILDREN. Chap.401

Whereas, The deferred operation of this act would cause substantial injury to the public welfare and would delay necessary protection to women and minors engaged in industry in this commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and fifty-one of the General Laws, as inserted therein by section one of chapter three hundred and eight of the acts of nineteen hundred and thirty-four and as amended by sections one to seventeen, inclusive, of chapter four hundred and thirty of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out said chapter, as so amended, and inserting in place thereof the following: —

CHAPTER 151.

MINIMUM FAIR WAGES FOR WOMEN AND MINORS.

Section 1. It is hereby declared to be against public policy for any employer to employ any woman or minor in an occupation in this commonwealth at an oppressive and

Emergency
preamble.

G. L. (Ter.
Ed.), 151,
stricken out,
and new
chapter 151,
inserted.

Certain wage
contracts,
etc., against
public policy.

unreasonable wage, as defined in section two, and any contract, agreement or understanding for or in relation to such employment shall be null and void.

Definitions.

Section 2. The following words and phrases as used in this chapter shall have the following meanings, unless the context clearly requires otherwise:

"Commission", the minimum wage commission which is hereby established in the department of labor and industries, but under the control of the commissioner of labor and industries, and which shall consist of the associate commissioners of labor and industries, each of whom shall be entitled to necessary traveling expenses.

"A directory order", an order the violation of which is not subject to the penalties prescribed in subsection (2) of section nineteen.

"A fair wage", a wage fairly and reasonably commensurate with the value of the service or class of service rendered. In establishing a minimum fair wage for any service or class of service under this chapter the commissioner and the wage board without being bound by any technical rules of evidence or procedure (1) may take into account the cost of living and all other relevant circumstances affecting the value of the service or class of service rendered, (2) may be guided by like considerations as would guide a court in a suit for the reasonable value of services rendered where services are rendered at the request of an employer in the absence of an express contract as to the amount of the wage to be paid, and (3) may consider the wages paid in the commonwealth for work of like or comparable character by employers who voluntarily maintain minimum fair wage standards.

"A mandatory order", an order the violation of which is subject to the penalties prescribed in subsection (2) of section nineteen.

"An oppressive and unreasonable wage", a wage which is both less than the fair and reasonable value of the services rendered and less than sufficient to meet the minimum cost of living necessary for health.

"Commissioner", the commissioner of labor and industries.

"Department", the department of labor and industries.

"Minor", a person of either sex under the age of twenty-one years.

"Occupation", an industry, trade or business or branch thereof or class of work therein in which women or minors are gainfully employed, but shall not include domestic service in the home of the employer or labor on a farm.

"Wage board", a board created as provided in sections four and five.

"Woman", a female of twenty-one years or over.

Section 3. The commissioner, or his authorized representative, shall have full power and authority:

1. To investigate and ascertain the wages of women and minors employed in any occupation in the commonwealth;

2. To enter the place of business or employment of any employer of women and minors in any occupation for the purpose of examining, inspecting and making a transcript of any and all books, registers, pay-rolls, and other records of any employer of women or minors that in any way appertain to or have a bearing upon the question of wages of any such women or minors and for the purpose of ascertaining whether the orders of the commissioner have been and are being complied with; and

3. To require from such employer full and correct statements in writing when the commissioner, or his authorized representative, deem necessary, of the wages paid to all women and minors in his employ, such statements to be under oath or accompanied by a written declaration that they are made under the penalties of perjury.

4. To carry out the provisions of this chapter.

Section 4. The commissioner shall have the power, and it shall be his duty on the petition of fifty or more citizens of the commonwealth, to cause an investigation to be made by any of his authorized representatives, of the wages paid to women or minors in any occupation in order to ascertain whether any substantial number of women or minors in such occupation are receiving oppressive and unreasonable wages. If, on the basis of information in the possession of the commissioner, with or without a special investigation, he is of the opinion that any substantial number of women or minors in any occupation or occupations are receiving oppressive and unreasonable wages, he shall direct the commission to appoint a wage board to report upon the establishment of minimum fair wage rates for such women or minors in such occupation or occupations.

Wage investigations.

Section 5. A wage board shall be composed of not more than three persons to represent the employers in any occupation or occupations, an equal number of persons to represent the employees in such occupation or occupations, and of not more than three disinterested persons to represent the public, one of whom shall be designated by the commission as chairman of the board. The commission shall appoint the members of such wage board, the representatives of the employers and employees to be selected so far as practicable from nominations submitted by employers and employees in such occupation or occupations. Two thirds of the members of such wage board shall constitute a quorum and the recommendations or report of such wage board shall require a vote of not less than a majority of all its members. Members of a wage board shall be entitled to compensation at the rate of five dollars per day for each meeting attended by them or each day actually spent in the work of the board. They shall also be paid their reasonable and necessary traveling and other expenses while engaged in the performance of their duties. The commission shall make and establish from time to time rules and regulations not inconsistent herewith

Wage boards.

governing the selection of a wage board and its mode of procedure.

Information
to be fur-
nished to
wage boards.

Section 6. The commissioner shall present to a wage board promptly upon its organization all the evidence and information in his possession relating to the wages of women and minors in the occupation or occupations for which the wage board was appointed and all other information which he deems relevant to the establishment of a minimum fair wage for such women and minors. The commission shall cause to be brought before the board any witnesses whom it deems material. A wage board may summon other witnesses or call upon the commissioner to furnish additional information to aid it in its deliberations.

Report of
wage board.

Section 7. Within sixty days of its organization a wage board shall submit a report including its recommendations as to minimum fair wage rates for the women or minors in the occupation or occupations the wage rates of which the wage board was appointed to investigate. If its report is not submitted within such time the commission may constitute a new wage board. A wage board may differentiate and classify employments in any occupation according to the nature of the service rendered and recommend appropriate minimum fair wage rates for different classes of employment. A wage board may also recommend minimum fair wage rates varying with localities if in its judgment conditions make such local differentiation proper and will not cause unreasonable discrimination against any locality. A wage board may recommend a suitable scale of rates for learners and apprentices in any occupation or occupations, which scale of learners' and apprentices' rates may be less than the regular minimum fair wage rates recommended for experienced women or minors in such occupation or occupations. In addition to its report a wage board may separately recommend such administrative regulations as it may deem appropriate to safeguard the minimum fair wage rates recommended in its report.

Acceptance
or rejection
of report.

Section 8. A wage board shall submit its report and any proposed administrative regulations to the commission which shall within ten days thereafter accept or reject such report. During such ten days the commission may confer with the wage board which may make such changes in the report or proposed administrative regulations as it may deem fit. If the report is rejected the commission shall resubmit the matter to the same wage board or to a new wage board. If the report is accepted it shall be published, together with such of the administrative regulations recommended by the board and such amendments and rescissions thereof as the commission may approve, and together with such additional administrative regulations as the commission may deem necessary or appropriate as a further safeguard to the minimum fair wage rates. Such administrative regulations may include among others regulations defining and governing learners and apprentices, their rates, number, proportion or

length of service, piece rates or their relation to time rates, overtime or part-time rates, bonuses or special pay for special or extra work, deductions for board, lodging, apparel or other items or services supplied by the employer, and other special conditions or circumstances; and in view of the diversities and complexities of different occupations and the dangers of evasion and nullification, the commission may provide in such regulations without departing from the basic minimum rates recommended by the wage board such modifications or reductions of or additions to rates in or for special cases or classes of cases herein enumerated as it may find appropriate to safeguard the basic minimum rates established. The commission shall give notice of a public hearing, to be held by it not sooner than fifteen nor later than thirty days after such publication, at which all persons in favor of or opposed to the recommendations contained in such report or to the proposed administrative regulations may be heard. Within ten days after such hearing the commission shall approve or disapprove the report of the wage board. If the report is disapproved the commission shall resubmit the matter to the same wage board or to a new wage board. If the report is approved the commission shall transmit it to the commissioner, who shall issue a directory order which shall define minimum fair wage rates in the occupation or occupations as recommended in the report of the wage board and such directory order shall include the regulations as approved by the commission.

Section 9. For any occupation for which minimum fair wage rates have been established, the commission may cause to be issued to a woman or minor, including a learner or apprentice, whose earning capacity is impaired by age or physical or mental deficiency or injury, a special license authorizing employment at such wages less than such minimum fair wage rates and for such period of time as shall be fixed by the commission and stated in the license.

Special employment licenses.

Section 10. If at any time after a directory minimum fair wage order has been in effect for three months the commissioner is of the opinion, that persistent non-observance of such order by one or more employers is a threat to the maintenance of fair minimum wage rates in any occupation or occupations, the commissioner may make such order mandatory and after such order is made mandatory it shall be unlawful for any employer in said occupation to employ women or minors for less than the rate of wage specified in said order in the said occupation. The commissioner shall send by mail so far as is practicable to each employer in the occupation in question a copy of the order, and each employer shall be required to post a copy of said order in each room in which women or minors affected by the order are employed.

Mandatory orders, how issued.

Section 11. If the commissioner has reason to believe that any employer is not observing any directory or mandatory order, the commissioner may, on fifteen days' notice,

Enforcement of orders, hearings, etc.

summon such employer to appear before the commissioner to show cause why the name of such employer should not be published as having failed to observe the provisions of such order. After a hearing and the finding of non-observance of such order by the commissioner, he may cause to be published in such newspaper or newspapers within this commonwealth or in such other manner as he may deem appropriate, the name of any such employer or employers as having failed in the respects stated to observe the provisions of such order. Neither the commissioner nor any authorized representative of the commissioner nor any newspaper publisher, proprietor, editor, or employee thereof shall be liable to an action for damages for publishing the name of any employer as provided herein unless guilty of wilful misrepresentation.

Reconsideration and modification of orders.

Section 12. At any time after a minimum fair wage order has been in effect for one year or more, whether during such period it has been directory or mandatory, the commissioner may on his own motion and shall on petition of fifty or more citizens of the commonwealth reconsider the minimum fair wage rates established therein and direct the commission to reconvene the same wage board or appoint a new wage board to consider and recommend whether and to what extent, if any, the rate or rates contained in such order should be modified. Such report of such wage board shall be dealt with in the manner prescribed in sections seven and eight; provided, that if the order under reconsideration has theretofore been made mandatory in whole or in part by the commissioner under section ten then the commissioner in making any new order or confirming any old order shall have power to declare to what extent such order shall be directory and to what extent mandatory.

Same subject.

Section 13. The commission may at any time and from time to time propose such modifications of or additions to any administrative regulations included in any directory or mandatory order of the commissioner without reference to a wage board, as the commission may deem appropriate to effectuate the purposes of this chapter, provided such proposed modifications or additions could legally have been included in the original order, and shall give notice of a public hearing to be held by the commission not less than fifteen days after such notice, at which hearing all persons in favor of or opposed to such proposed modifications or additions may be heard. Notice of such hearing shall be given by publication and in such other manner as the commission may determine. After such hearing the commissioner may make an order putting into effect such proposed modifications or additions to the administrative regulations as he deems appropriate, and if the order of which the administrative regulations form a part has heretofore been made mandatory in whole or in part by the commissioner under section ten then the commissioner in making any new order shall have the power to declare to what extent such order shall be directory and to what extent mandatory.

Section 14. Any person aggrieved by any decision of the commissioner may bring a petition in the superior court praying that such decision of the commissioner may be reviewed by the court, and, after such notice to the commissioner as the court deems necessary, it shall review such decision, hear the evidence and make such order approving, in whole or in part, or setting aside, in whole or in part, the decision appealed from as justice may require, and may refer any matter or issue arising in the proceedings to the commissioner for further consideration. The filing of the petition shall not stay proceedings upon the decision appealed from, but the court may, on application, after notice to the commissioner and for cause shown, grant a restraining order. Upon any such petition the court may take evidence without being bound by any technical rules of evidence or procedure, to the end that any evidence may be received which the court considers probative.

Appeal from
decisions of
commission.

Section 15. Every employer of women and minors shall keep a true and accurate record of the name, address and occupation of each such employee, of the age of each minor, of the amount paid each pay period to each woman and minor, of the hours worked each day and each week by each woman and minor, and such other information as the commissioner in his discretion shall deem material and necessary. Such records shall be kept on file for at least one year after the entry date of the record. Such records shall be open to the inspection of the commissioner or his authorized representatives at any reasonable time, and they shall have the right to make a transcript thereof. Every employer shall furnish to the commissioner, or his authorized representative, on demand, a sworn statement of such record, and, if the commissioner shall so require, upon forms prescribed or approved by him.

Employers to
keep records

Section 16. Every employer subject to a minimum fair wage order whether directory or mandatory shall keep a copy of such order posted in a conspicuous place in every room in which women or minors are employed. Employers shall be furnished copies of orders on request without charge. The commissioner may require each employer in any occupation subject to this chapter to post notices of hearings of, and nominations for, wage boards, or orders which apply to such employer's employees, in such reasonable way or ways and for such length of time as he may direct.

Copies of
orders to be
posted.

Section 17. Each employer shall permit any duly authorized officer or employee of the department to question any employee of such employer in the place of employment and during work hours in respect to the wages paid to and the hours worked by women and minors.

Officers, etc.,
of department
not to be inter-
fered with.

Section 18. In the discharge of the duties prescribed by this chapter, any member of the commission or of a wage board shall have power to administer oaths, take depositions similar to those in civil actions, and to require by summons the attendance of witnesses, the production of books, papers,

Power to
summon
witnesses.

documents and records, necessary or convenient to be used in connection with the performance of his duties. Witnesses summoned shall be paid the same fees as witnesses summoned to appear before courts.

Discrimination prohibited.

Section 19. (1) Any employer and his agent, or the officer or agent of any corporation, who discharges or in any other manner discriminates against any employee because such employee has served or is about to serve on a wage board or has testified or is about to testify before any wage board or in any other investigation or proceeding under or related to this chapter or because such employer believes that said employee may serve on any wage board or may testify before any wage board or in any investigation or proceeding under this chapter shall be punished by a fine of not less than fifty nor more than two hundred dollars.

(2) Any employer or the officer or agent of any corporation who pays or agrees to pay to any woman or minor employee less than the rates applicable to such woman or minor under a mandatory minimum fair wage order shall be punished by a fine of not less than fifty nor more than two hundred dollars or by imprisonment for not less than ten nor more than ninety days or by both such fine and imprisonment, and each week in any day of which such employee is paid less than the rate applicable to him under a mandatory minimum fair wage order and each employee so paid less shall constitute a separate offence.

(3) Any employer or the officer or agent of any corporation who fails to keep the records required under this chapter or to furnish such records to the commissioner, or any authorized representative of the commissioner upon request, or who falsifies such records, or who fails to comply with any requirement of the commissioner under the last sentence of section sixteen, or who hinders or delays the commissioner or any authorized representative of the commissioner in the performance of his duties, or who refuses to admit, or locks out, such commissioner, or such authorized representative from any place of employment which he is authorized to inspect, shall be punished by a fine of not less than twenty-five nor more than one hundred dollars, and each day of such failure to keep such records or to furnish to the commissioner or any authorized representative of the commissioner such records or other information as may be required for the proper enforcement of this chapter shall constitute a separate offence.

Recovery for failure to pay minimum wage.

Section 20. If any woman or minor is paid by an employer less than the minimum fair wage to which such woman or minor is entitled under or by virtue of a mandatory minimum fair wage order such woman or minor may recover in a civil action the full amount of such minimum wage less any amount actually paid to such woman or minor by the employer, together with costs and such reasonable attorney's fees as may be allowed by the court, and any agreement between such woman or minor and the employer to work

for less than such mandatory minimum fair wage shall be no defence to such action. At the request of any woman or minor paid less than the minimum wage to which such woman or minor is entitled under a mandatory minimum fair wage order the commissioner may take an assignment of such wage claim in trust for the assigning employee and may bring any legal action necessary to collect such claim, and the employer shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court. The commissioner shall not be required to pay a filing fee in connection with any such action.

Section 21. This chapter shall be known and may be cited as the minimum fair wage for women and minors law.

Law, how cited.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

Constitutionality.

SECTION 3. This act shall not be construed to abrogate or invalidate any proceedings hitherto taken or pending on its effective date under chapter one hundred and fifty-one of the General Laws, as in effect immediately prior to such date, or to alter or modify the effect of any decree or order made under the provisions of said chapter as so in effect, but all such proceedings may be completed in accordance with said chapter as so in effect, and such decrees and orders shall continue to be in full force and effect until expressly amended, modified or revoked in accordance with chapter one hundred and fifty-one as revised by this act.

Operation and effect of act.

Approved May 29, 1937.

AN ACT RATIFYING A PROPOSED COMPACT BETWEEN THE COMMONWEALTH AND THE STATES OF CONNECTICUT, NEW HAMPSHIRE AND VERMONT RELATIVE TO FLOOD CONTROL IN THE CONNECTICUT RIVER VALLEY AND PROVIDING FOR THE APPOINTMENT AND COMPENSATION OF THE MEMBERS REPRESENTING THE COMMONWEALTH UPON THE COMMISSION THEREBY ESTABLISHED.

Chap. 402

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. The state planning board, by its chairman, is hereby authorized to enter into and execute on the part of this commonwealth and in its name and behalf, with the states of Connecticut, New Hampshire and Vermont, by and through the commissioners or other officers who may be authorized thereto by the legislatures of said respective states, a compact in the following form:

Whereas, The Commonwealth of Massachusetts and the States of Connecticut, New Hampshire and Vermont recognize that destructive floods upon the Connecticut River, upsetting orderly processes and causing loss of life and property, including the erosion of lands, and impairing and obstructing highways, railroads and other channels of commerce between the aforesaid states, constitute a menace, and that investigations and improvements of said Connecticut River and its tributaries, including the watersheds thereof, for flood control purposes are in the interest of the general welfare of the aforesaid states; and

Whereas, Under Section 4 of an Act of the Congress of the United States of America entitled "Public — No. 738 — 74th Congress — An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," approved June 22, 1936, "the consent of Congress" was "given to any two or more states to enter into compacts or agreements in connection with any project or operation authorized by such act for flood control or the prevention of damage to life or property by reason of floods, upon any stream or streams or their tributaries which lie in two or more such states, for the purpose of providing, in such manner and such proportion as may be agreed upon by said states and approved by the Secretary of War, funds for construction and maintenance, for the payments of damages, and for the purchase of lands, easements and rights of way in connection with such project or operation;" and

Whereas, The Connecticut River, together with its tributaries, is such a waterway as is defined in said Act of Congress above referred to, and the adequate and proper regulation of the destructive floods hereinbefore referred to upon said Connecticut River and its tributaries can best be accomplished by the mutual agreement and co-operation of the states hereinbefore named, by and through a joint or common agency; and

Whereas, Under and by the terms of said Act of Congress, hereinbefore referred to, the entire cost of construction of the various projects for flood control therein defined is to be paid and discharged by the United States, and the signatory states hereto desire to avail themselves of the advantages and benefits accruing to them thereby and to be relieved of such cost of construction.

Now, therefore, The said Commonwealth of Massachusetts and States of Connecticut, New Hampshire and Vermont do hereby enter into the following compact, to wit:

ARTICLE I.

The principal purposes of this compact are:

(a) To promote interstate comity among and between the signatory states;

(b) To provide adequate storage capacity for impounding the waters of the Connecticut River and its tributaries, designed primarily for the protection of life and property from floods;

(c) To provide a joint or common agency through which the signatory states, while promoting, protecting and preserving to each the local interest and sovereignty of the respective signatory states, may more effectively co-operate in accomplishing the object of flood control in the basin of the Connecticut River and its tributaries, and, among other things:

(1) To acquire by lease from the states signatory hereto, or some of them, all lands, easements and rights of way necessary for the construction of the projects herein contemplated, without cost to the United States, except as provided in said Act of Congress hereinbefore referred to;

(2) To hold and save the United States free from damages due to the construction works;

(3) To maintain and operate all the works herein contemplated after completion in accordance with regulations prescribed by the Secretary of War;

(4) To accept from the signatory states hereto, and from any other source, contributions of moneys as hereinafter set forth for the purposes

herein set forth, including without limiting the same, funds for the acquisition of lands, easements and rights of way, for the payment of damages and for the operation and maintenance of said flood control reservoirs, and the expenses incidental thereto and to the functions of the Connecticut River Valley Flood Control Commission hereinafter created.

ARTICLE II.

There is hereby created "The Connecticut River Valley Flood Control Commission," hereinafter referred to as the Commission, which shall consist of twelve commissioners, three of whom shall be residents of the Commonwealth of Massachusetts; three of whom shall be residents of the State of Connecticut; three of whom shall be residents of the State of New Hampshire; and three of whom shall be residents of the State of Vermont.

The members of said commission shall be chosen by their respective states in such manner and for such term as may be fixed and determined from time to time by the law of each of said states respectively by which they are appointed. A commissioner may be removed or suspended from office as provided by the law of the state for which he shall be appointed; and any vacancy occurring in said Commission shall be filled in accordance with the laws of the state wherein such vacancy exists.

A majority of the members from each state shall constitute a quorum for the transaction of business, the exercise of any powers or the performance of any duties, but no action of the Commission shall be binding unless at least two of the members from each State shall vote in favor thereof.

The compensation of the members of said Commission shall be fixed, determined and paid by the state which they respectively represent. All necessary expenses incurred in the performance of their duties shall be paid from the funds of said Commission.

The Commission shall elect from its members a chairman, vice-chairman, clerk and treasurer. Such treasurer shall furnish to said Commission, at its expense, a bond with corporate surety, to be approved by said Commission, in such amount as said Commission may determine, conditioned for the faithful performance of his duties.

The Commission shall adopt suitable by-laws, and shall make such rules and regulations as it may deem advisable governing the operation of flood control projects, not inconsistent with the laws of the signatory states or laws of the United States, and any rules or regulations lawfully promulgated thereunder.

The Commission shall make an annual report to the governor of each of the signatory states, setting forth in detail the operations and transactions conducted by it pursuant to this compact and any legislation thereunder, which said reports shall be submitted to the respective legislatures.

The Commission shall keep a record of all its meetings and proceedings, contracts and accounts, and shall maintain a suitable office, where its maps, plans, documents, records and accounts shall be kept, subject to public inspection at such times and under such regulations as the Commission shall determine.

ARTICLE III.

The Commission shall constitute a body, both corporate and politic, with full power and authority, —

(1) To acquire by lease and to hold lands, easements and rights of way for reservoirs herein contemplated, and for the use and enjoyment thereof;

(2) To hold, maintain and operate reservoirs, including appurtenances, for the purposes of flood control;

(3) To receive funds and moneys from the signatory states or other sources, for the purpose of acquiring, operating and maintaining such reservoirs as may hereafter be constructed within the basin of the Connecticut River under the terms of this compact, including, without

limiting the same, funds for the acquisition of lands, easements and rights of way, for the payment of damages and for the maintenance and operation of said reservoirs, and the expenses incidental thereto and to the functions of the commission;

(4) To sue and be sued;

(5) To have a seal and alter the same at pleasure;

(6) To appoint and employ such agents and employees as may be required in the proper performance of the duties hereby committed to it, and to fix and determine their qualifications, duties and compensation;

(7) To enter into such contracts and agreements, and to do and perform any and all other acts, matters and things as may be necessary and essential to the full and complete performance of the powers and duties hereby committed to and imposed upon it in connection with the construction, operation and maintenance of the system of reservoirs hereby or hereafter authorized and as may be incidental thereto; and

(8) To have such additional powers and duties as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of any of said states, concurred in by the legislatures of the other states.

The Commission shall be charged with the duty, and it is hereby authorized and empowered, to give such assurances, satisfactory to the Secretary of War, as are required by Section 3 of the Act of Congress hereinbefore referred to.

The Commission shall make, or cause to be made, such studies as it may deem necessary, in co-operation with the War Department, for the development of a comprehensive plan of flood control, as herein defined, and for the efficient management and regulation of said flood control system, and from time to time shall make reports and recommendations in respect thereto to the signatory states.

The Commission shall not pledge the credit of the signatory states, or any of them, nor shall it convey, encumber, or in any way undertake to alienate the lands, easements and rights of way so leased to it, as hereinafter provided, or any part thereof, or any interest therein, except by and with the consent of the signatory states.

ARTICLE IV.

There shall be established in the Connecticut River basin as an initial plan of flood control eight of the following eleven proposed reservoirs, to wit:

(a) Three of the four following reservoirs in the State of Vermont:

(1) At Victory on the Moose River, controlling a drainage area of approximately sixty-six (66) square miles, and providing flood control storage for approximately seven (7) inches of runoff over said drainage area, the dam at said reservoir to be constructed in such manner as to provide for flood control, and in addition thereto to be so designed and constructed as to provide for further development by increasing the storage capacity, the added storage to be used for water conservation or power development at the option of the State of Vermont.

(2) At Union Village on the Ompompanoosuc River, controlling a drainage area of approximately one hundred twenty-six (126) square miles, and providing flood control storage for approximately four and one-half ($4\frac{1}{2}$) inches of runoff over said drainage area, the dam at said reservoir to be constructed in such manner as to provide for flood control and also for a recreational lake, to be maintained during the summer months at a substantially constant minimum level, to be fixed by the Chief of Engineers of the United States Army, except when increased temporary storage is required for flood control.

(3) At North Hartland on the Ottauquechee River, controlling a drainage area of approximately two hundred twenty-two (222) square miles, and providing flood control storage for approximately four and one-tenth (4.1) inches of runoff over said drainage area, the dam at said reservoir to be for flood control purposes only.

(4) At Groton Pond on the Wells River, controlling a drainage area of approximately seventeen and three-tenths (17.3) square miles, and providing flood control storage for approximately seven (7) inches of runoff over said drainage area, and the dam at said reservoir to be constructed in such manner as to provide for flood control and also for a recreational lake, the level of the water to be maintained during the summer months at a substantially constant minimum level, to be fixed by the Chief of Engineers of the United States Army, except when increased temporary storage is required for flood control.

(b) Three reservoirs in the State of New Hampshire as follows:

(1) At Bethlehem Junction on the Ammonoosuc River, controlling a drainage area of approximately ninety (90) square miles, and providing flood control storage for approximately six (6) inches of runoff over said drainage area, the dam at said reservoir to be constructed in such manner as to provide for flood control and also for a recreational lake to be maintained during the summer months at a substantially constant minimum level, to be fixed by the Chief of Engineers of the United States Army, except when increased temporary storage is required for flood control.

(2) At Stocker Pond in the Towns of Grantham and Springfield, controlling a drainage area of approximately thirty-four and four-tenths (34.4) square miles, and providing flood control storage for approximately six (6) inches of runoff over said drainage area, the dam at said reservoir to be constructed for flood control, and in addition thereto to be so designed and constructed as to provide for further development by increasing the storage capacity, the added storage to be used for water conservation or power development, at the option of the State of New Hampshire.

(3) At Surry Mountain on the Ashuelot River, controlling a drainage area of approximately one hundred (100) square miles, and providing flood control storage for approximately six (6) inches of runoff over said drainage area, the dam at said reservoir to be constructed in such manner as to provide for flood control, and in addition thereto to be so designed and constructed as to provide for further development by increasing the storage capacity, the added storage to be used for water conservation or power development, at the option of the State of New Hampshire.

(c) Two of the four following reservoirs in the Commonwealth of Massachusetts:

(1) At Knightville on the Westfield River, controlling a drainage area of approximately one hundred sixty-four (164) square miles, and providing flood control storage for approximately four and five-tenths (4.5) inches of runoff over said drainage area, the dam at said reservoir to be constructed in such manner as to provide for flood control, and in addition thereto to be so designed and constructed as to provide for further development by increasing the storage capacity, the added storage to be used for water conservation or power development, at the option of the Commonwealth of Massachusetts; or to be constructed in such manner as to provide for flood control and also for a recreational lake to be maintained during the summer months at a substantially constant minimum level, to be fixed by the Chief of Engineers of the United States Army, except when increased temporary storage is required for flood control, as said Commonwealth of Massachusetts may elect.

(2) At Tully on the Tully Brook, a tributary of Millers River, controlling a drainage area of approximately fifty (50) square miles, and providing flood control storage for approximately eight (8) inches of runoff over said drainage area, the dam at said reservoir to be constructed in such manner as to provide for flood control, and in addition thereto to be so designed and constructed as to provide for further development by increasing the storage capacity, the added storage to be used for water conservation or power development, at the option of the Commonwealth of Massachusetts; or to be constructed in such manner as to provide for flood control and also for a recreational lake to be maintained during the summer months at a substantially constant minimum level, to be fixed by the Chief of Engineers of the United

States Army, except when increased temporary storage is required for flood control, as said Commonwealth of Massachusetts may elect.

(3) At Priest Pond on Priest Brook, a tributary of Millers River, controlling a drainage area of approximately eighteen and eight-tenths (18.8) square miles, and providing flood control storage for approximately six (6) inches of runoff over said drainage area, the dam at said reservoir to be constructed in such manner as to provide for flood control, and in addition thereto to be so designed and constructed as to provide for further development by increasing the storage capacity, the added storage to be used for water conservation or power development, at the option of the Commonwealth of Massachusetts; or to be constructed in such manner as to provide for flood control, and also for a recreational lake to be maintained during the summer months, at a substantially constant minimum level, to be fixed by the Chief of Engineers of the United States Army, except when increased temporary storage is required for flood control, as said Commonwealth of Massachusetts may elect.

(4) At Lower Naukeag on the Millers River, controlling a drainage area of approximately nineteen and seven-tenths (19.7) square miles, and providing flood control storage for approximately five and one-tenth (5.1) inches of runoff over said drainage area, the dam at said reservoir to be constructed in such manner as to provide for flood control and also for a recreational lake, to be maintained during the summer months at a substantially constant minimum level, to be fixed by the Chief of Engineers of the United States Army, except when increased temporary storage is required for flood control.

The type and general plans for the construction of the eight reservoirs herein provided to be constructed as an initial plan of flood control on the Connecticut River basin, are to be approved by the Connecticut River Valley Flood Control Commission, hereinbefore created, before any construction work thereon is begun or prosecuted.

In so far as any of the foregoing reservoirs may be constructed for the combined purpose of flood control and recreational facilities, none of the signatory states wherein such reservoirs are located shall be obligated to pay any additional cost of construction.

ARTICLE V.

To the end that the Connecticut River Valley Flood Control Commission may give to the Secretary of War the assurances required under Section 3 of the Act of Congress hereinbefore referred to, and that the lands, easements and rights of way necessary for the construction by the United States of the reservoirs and structures thereon, herein contemplated, may be provided, each state at the request of said Commission shall proceed forthwith to acquire title to and possession of the lands, easements and rights of way within its territorial limits, which are determined and designated by the Commission for the construction of such reservoir or reservoirs.

Such acquisition shall be by purchase or by the exercise of the right of eminent domain, as said Commission may direct, and in the manner now or hereafter provided for by the laws of the states wherein such lands, easements and rights of way are located. Title to such lands, easements and rights of way shall be taken in the name of the state wherein the same are located. The cost of acquisition, as hereinafter defined, shall be borne by said Commission and paid from and out of the funds contributed by the signatory states for such purpose, as hereinafter provided.

Each state, upon notice from and at the sole expense of said Commission, shall forthwith proceed to make, or cause to be made, such highway relocations, including the acquisition of all necessary rights of way therefor, and the construction of such relocated highway, as may become necessary therein because of the construction, operation and maintenance of any reservoir or reservoirs for flood control purposes. Provided, however, that due allowance shall be made on account of any improved type of construction of such relocated highway. The character, location, route and construction of such relocated highways

shall be determined by the state wherein such relocated highway is situated, or by its representatives.

In like manner, such state, at the expense of the Commission, and upon its request, shall procure the relocation of any railroad, electric transmission, telephone or telegraph lines, or other public utility structures, including new rights of way therefor as may be essential on account of the construction, operation and maintenance of such reservoir for flood control purposes.

ARTICLE VI.

The Commission shall save the states in which such reservoirs are located free and harmless from all loss, cost, damage or expense in connection with the control, operation and maintenance of such reservoir or reservoirs except as hereinafter provided in Articles IX and XI.

The Commission or the War Department in the construction and maintenance of such reservoir or reservoirs shall cause the area which may be flowed thereby when full, to be cleared of buildings and all such trees, brush and underbrush as from time to time may be damaged or killed by such flowage; shall cause borrow pits or banks, other excavations or unused accumulations of material and débris, to be leveled, graded, masked, removed or otherwise disposed of in such a way as to leave no holes or other unsightly conditions therein; and shall cause all water pockets to be properly drained and the premises affected by such flowage to be landscaped in such manner as may reasonably preserve the natural condition of such premises before such construction, except as the same necessarily may be changed thereby.

The lands, easements and rights of way leased shall be exempt from all taxation but the said Commission shall make payments on or before the first day of October of each year to each town in which such lands, easements and rights of way, respectively, are located, of a sum equal to the taxes which would have been assessed against the said lands, easements and rights of way in such town if the same had been included in the list of taxable property for such year, at the assessed valuation of the same as determined for the tax year 1936. Provided, however, that no payment shall be made or required hereunder on account of reimbursement for loss of taxes on any structure which may be erected on such premises in connection with the construction or use of said project, or on account of any railroad or other public utility which may be relocated under the terms of this compact, and which is included in the list of taxable property in said town when relocated.

When said lands, easements and rights of way essential to the construction of any dam or reservoir shall have been acquired as hereinbefore provided, the state wherein the same are located, shall make, execute and deliver to said Commission a good and sufficient lease of the same, to include the structures thereon when completed and accepted by the state, except as hereinafter provided, upon the terms and conditions following, to wit:

(a) The said Commission shall save the state in which said reservoirs are respectively located, free and harmless from all loss, cost, damage or expense in connection with the control, operation and maintenance of said reservoir or reservoirs except as hereinafter provided in Articles IX and XI.

(b) In the construction and maintenance of such reservoir or reservoirs, the area which may be flowed thereby, when full, shall be cleared of buildings and of such trees, brush and underbrush, as from time to time may be damaged or killed by such flowage; borrow pits or banks, other excavations or unused accumulations of material and débris, shall be leveled, graded, masked, removed or otherwise disposed of in such a way as to leave no holes or other unsightly conditions therein; all water pockets shall be properly drained; and the premises affected by such flowage shall be landscaped in such manner as may reasonably preserve the natural condition of such premises before such construction, except as the same necessarily may be changed thereby.

(c) The lands, easements and rights of way hereby leased shall be exempt from all taxation; but the said Commission shall make payments on or before the first day of October of each year to each town in which such lands, easements and rights of way, respectively, are located, of a sum equal to the taxes which would have been assessed against the said lands, easements and rights of way in such town if the same had been included in the list of taxable property for such year, at the assessed valuation of the same as determined for the tax year 1936. Provided, however, that no payment shall be made or required hereunder on account of reimbursement for loss of taxes on any structure which may be erected on such premises in connection with the construction or use of said project; or on account of any railroad or other public utility which may be relocated under the terms of this agreement, and which thereafter is included in the list of taxable property in said town when relocated.

(d) The lands, easements and rights of way herein described, are leased and demised solely for the purpose of flood control, and for no other purpose, and the said lessor hereby excepts from this lease and reserves unto itself all benefit or advantage of water conservation, power storage or power development, that may be inherent in such reservoir site, with the right, at such time as it may determine, and upon compliance with the requirements of the United States respecting the adjustment and payment of any added construction cost by reason of the type of construction adapted for that purpose, and the assumption and payment of the cost of acquiring any additional lands, easements and rights of way necessitated by such additional development, and the full preservation of the principal purpose of flood control, to develop the same in such manner and for such purpose as may be essential to the full beneficial use thereof.

(e) The term of said lease shall be for the period of nine hundred and ninety-nine years, subject only to be defeated by a breach of the terms or the conditions in this article set forth.

ARTICLE VII.

The cost of acquisition of lands, easements and rights of way, as used or referred to herein, shall be deemed to include the cost of:

(1) The purchase or condemnation of lands, easements and rights of way of every kind and nature required or essential in the construction, development, operation and maintenance of such reservoirs as an effective agency for flood control, and including, among other things, camp sites, borrow banks or pits, rock ledges, gravel deposits and rights of way thereto in the vicinity of the dam necessary for the construction and maintenance thereof. Such camps are to be removed and the sites thoroughly cleaned up at no cost to the states or Commission before being relinquished by the United States upon the completion of the construction work;

(2) The reconstruction, relocation or elevation of public highways, including bridges or other structures;

(3) The reconstruction or relocation of public service utilities, including railroads and the alteration of bridges and structures thereon, whether publicly or privately owned;

(4) The reconstruction or relocation of telegraph, telephone or electric light or power distribution and transmission lines, pipe lines, aqueducts, water or gas mains; and

(5) Any other damages, expenses or costs that may be necessitated or incurred in procuring and providing the sites necessary for the construction of the reservoirs herein contemplated, including the cost and expense of acquiring such lands, easements and rights of way and procuring the reconstruction or relocation of the highways, bridges, railroads, telephone, telegraph and electric lines, pipes, aqueducts and mains above mentioned, or the rights of way for the same, or any other similar expenditures.

ARTICLE VIII.

The rights to be acquired and exercised by the Commission are solely for flood control purposes, and each of the respective signatory states wherein any reservoir may be situated, reserves respectively unto itself, all benefit or advantage of water conservation, power storage or power development that may be inherent in such reservoir site.

In the event any signatory state may wish to preserve to itself the value of such site for the purposes aforesaid, it may, through an appropriate agency of the state, so notify the United States, through its War Department, before any construction work is commenced hereunder for flood control purposes, so that the design and construction of the dam at such site may be developed in such manner as to provide for further development as a storage reservoir for the conservation of water, enhancement of stream flow or power development.

Provided, however, that nothing herein contained shall be deemed to prevent any such state, at its option, at any time hereafter, by itself or through such agency as it may designate, from developing any such reservoir or reservoirs for use for water conservation, power storage or power development, in order that it may avail itself of the full beneficial use and enjoyment of the rights herein reserved. In such event, such state shall pay or provide for the payment of all costs or expenses necessary for such further development, including adaptation of any existing dam and works to such purpose, in accordance with plans approved by the Secretary of War, and at all times fully preserve the primary purpose of flood control.

The terms and conditions under which any such signatory state shall make available the rights of water conservation, power storage or power development herein reserved shall be determined by separate agreement or arrangement between such state and the United States; and the type and general plans for the construction of such of the reservoirs as are herein contemplated to provide for such further development shall be approved by some agency of such state, for that purpose duly authorized, before any construction thereon is begun or prosecuted.

ARTICLE IX.

In order that an adequate fund may be established and created from which payments for the acquisition of lands, easements and rights of way may be made, the signatory states become bound and each hereby obligates itself to pay to the Commission, the proportion of the cost of acquisition of lands, easements and rights of way respectively set forth below, and subject to the limitations hereinafter provided, as follows:

- (1) The Commonwealth of Massachusetts fifty per cent thereof.
- (2) The State of Connecticut forty per cent thereof.
- (3) The State of New Hampshire five per cent thereof.
- (4) The State of Vermont five per cent thereof.

Provided, however, that it is the understanding, intent and purpose of the parties hereto, that the cost of acquisition of lands, easements and rights of way for eight reservoirs, provided for herein, shall not exceed the sum of Two Million Seven Hundred Thousand Dollars (\$2,700,000) and that the drainage area of the Connecticut River Basin to be controlled thereby shall be approximately seven and 61/100 (7.61) per cent thereof; and it is expressly provided that the maximum amount to which each of the signatory states shall be bound or obligated for cost of acquisition of lands, easements and rights of way on account of said eight reservoirs shall not exceed the respective proportions hereinbefore set forth of said sum of Two Million Seven Hundred Thousand Dollars (\$2,700,000).

The fiscal year shall be deemed to begin on July 1st and end on June 30th. Payment by the signatory states of the cost of acquisition shall be made as and when requested by the Commission on or after July 1,

1937; provided that not more than one-half of said sum of Two Million Seven Hundred Thousand Dollars (\$2,700,000) shall be required to be paid in any fiscal year after said date.

ARTICLE X.

In the execution of the initial plan of eight reservoirs herein contemplated said Commission, with the approval of the Secretary of War, shall determine the order in which the construction work of the same shall be commenced and prosecuted, except that it is hereby declared to be the intent and purpose of the signatory states that construction work shall be first begun on one reservoir project located in the Commonwealth of Massachusetts and upon one reservoir project located respectively in each of the States of New Hampshire and Vermont before further construction work is begun on any other reservoir.

The initial plan for the construction of eight reservoirs herein mentioned and provided for is part of a long range comprehensive program for flood control on the Connecticut River and its tributaries, the object and purpose of the signatory states being to enlarge and expand such flood control projects to an ultimate control, including the reservoirs hereinabove mentioned of approximately twenty-one per cent of the drainage area thereof, at a total maximum cost to the signatory states, including the cost herein specified, of not to exceed Ten Million Five Hundred Seventy-five Thousand Dollars (\$10,575,000); and the contributions by the respective signatory states, in the proportions hereinbefore set forth, shall not in any event exceed the total amount above stated.

In the further development of such comprehensive program, said Commission shall determine from time to time the site, character, location and extent of such additional reservoirs, subject to the approval of the legislature of the state in which the same may be located.

ARTICLE XI.

Each of the signatory states shall annually contribute and pay to the Commission the respective proportions of the expense of operation and maintenance of the flood control reservoirs hereafter constructed under the terms of this agreement as follows:

The Commonwealth of Massachusetts fifty per cent thereof,

The State of Connecticut forty per cent thereof,

The State of New Hampshire five per cent thereof,

The State of Vermont five per cent thereof,

and each of said states shall make adequate provision for compliance on its part with the provisions of this Article, and the same shall be made available as and when required upon the requisition of the Commission.

As a part of the expense of operation and maintenance of said reservoirs the Commission shall assume and pay to the respective towns entitled thereto the cost of reimbursement for loss of taxes, as set forth and required in sub-paragraph (c) in Article VI hereof, and shall pay all costs incident to or damages resulting from the operation and maintenance of such flood control reservoirs, and shall save the United States free and harmless on account thereof, and shall pay all other costs or expenses which may be necessary in the operation and maintenance thereof, including the expenses of the members of said Commission hereinbefore provided to be paid out of the funds of said Commission.

ARTICLE XII.

Each of the signatory states hereby releases and discharges the others of and from all damages, which may be claimed to result from the obstruction, detention, impounding, storage, release or diversion of the waters of said Connecticut River and its tributaries, in so far as the same may be in any way affected by the construction, operation or maintenance of the reservoirs herein contemplated.

ARTICLE XIII.

This compact shall become operative and effective when approved by the legislatures of each of the signatory states and by the Congress of the United States. Notice of approval shall be given by the governor of each state to the governors of the other states and to the President of the United States, and the President of the United States is requested to give notice to the governors of each of the signatory states of its approval by the Congress of the United States.

In witness whereof, This compact has been executed by the Commonwealth of Massachusetts on the _____ day of _____ A.D. 19____, by its commissioners thereunto lawfully authorized; and by the State of Connecticut on the _____ day of _____ A.D. 19____, by its commissioners thereunto lawfully authorized; and by the State of New Hampshire on the _____ day of _____ A.D. 19____, by its commissioners thereunto lawfully authorized; and by the State of Vermont on the _____ day of _____ A.D. 19____, by its commissioners thereunto lawfully authorized.

For the Commonwealth of Massachusetts,

Commissioners.

For the State of Connecticut,

Commissioners.

For the State of New Hampshire,

Commissioners.

For the State of Vermont,

Commissioners.

SECTION 2. Said compact, when approved by the legislatures of each of said states and by the congress of the United States, shall thereupon become operative and effective. The governor is hereby authorized and directed forthwith to notify the governors, respectively, of the said states and the president of the United States, that the commonwealth on its part has approved and ratified said compact. Upon its execution in quintuplicate by the commissioners of each of said states as aforesaid, a duly executed original of said compact shall be filed in the office of the state secretary, together with the original notice of ratification received from the governors of the remaining signatory states, and such notice, if any, as may be received from the president or the congress of the United States, signifying the approval thereof by such congress.

SECTION 3. After the aforesaid compact shall have become effective as provided in section two of this act, the governor, with the advice and consent of the council, shall appoint three members of The Connecticut River Valley Flood Control Commission, provided for in Article II of said compact, one of whom shall serve until the first day of February, nineteen hundred and thirty-nine, one of whom shall serve until the first day of February, nineteen hundred and forty-one, and one of whom shall serve until the first day of February, nineteen hundred and forty-three. During the last two weeks of the month of January, nineteen hundred and thirty-nine, and biennially thereafter, the governor, with the advice and consent of the council, shall appoint one member of the said commission whose term of office shall be six years from and after the first day of February of the year in which he is appointed. Sections eight to twelve, inclusive, of chapter thirty of the General Laws shall apply to said members.

SECTION 4. Each member of said commission appointed by the commonwealth who does not hold salaried state office while he is a member thereof shall be paid by the commonwealth, as compensation for his services, the sum of twenty-five dollars a day for each day's service performed in connection with his duties as such member. Such compensation shall be paid by the state treasurer to each member, not more often than every two weeks, upon bills approved by the chairman, vice-chairman or clerk of said commission.

Approved May 29, 1937.

Chap. 403 AN ACT RATIFYING A PROPOSED COMPACT BETWEEN THE COMMONWEALTH AND THE STATE OF NEW HAMPSHIRE RELATIVE TO FLOOD CONTROL IN THE MERRIMACK RIVER VALLEY AND PROVIDING FOR THE APPOINTMENT AND COMPENSATION OF THE MEMBERS REPRESENTING THE COMMONWEALTH UPON THE COMMISSION THEREBY ESTABLISHED.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. The state planning board, by its chairman, is hereby authorized to enter into and execute on the part of this commonwealth and in its name and behalf, with the state of New Hampshire, by and through the commissioners or other officers who may be authorized thereto by the legislature of said state, a compact in the following form:

Whereas, The Commonwealth of Massachusetts and the State of New Hampshire recognize that destructive floods upon the Merrimack River, upsetting orderly processes and causing loss of life and property, including the erosion of lands, and impairing and obstructing highways, railroads and other channels of commerce between the aforesaid states,

constitute a menace, and that investigations and improvements of said Merrimack River and its tributaries, including the watersheds thereof, for flood control purposes are in the interest of the general welfare of the aforesaid states; and

Whereas, Under Section 4 of an Act of the Congress of the United States of America entitled "Public — No. 738 — 74th Congress — An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," approved June 22, 1936, "the consent of Congress" was "given to any two or more states to enter into compacts or agreements in connection with any project or operation authorized by this Act for flood control or the prevention of damage to life or property by reason of floods upon any stream or streams and their tributaries which lie in two or more such States, for the purpose of providing, in such manner and such proportion as may be agreed upon by such States and approved by the Secretary of War, funds for construction and maintenance, for the payment of damages, and for the purchase of rights-of-way, lands, and easements in connection with such project or operation"; and

Whereas, The Merrimack River, together with its tributaries, is such a waterway as is defined in said Act of Congress above referred to, and the adequate and proper regulation of the destructive floods hereinbefore referred to upon said Merrimack River and its tributaries can best be accomplished by the mutual agreement and co-operation of the states hereinbefore named, by and through a joint or common agency; and

Whereas, Under and by the terms of said Act of Congress, hereinbefore referred to, the entire cost of construction of the various projects for flood control therein defined is to be paid and discharged by the United States, and the signatory states hereto desire to avail themselves of the advantages and benefits accruing to them thereby and to be relieved of such cost of construction.

Now, therefore, The Commonwealth of Massachusetts and State of New Hampshire do hereby enter into the following compact, to wit:

ARTICLE I.

The principal purposes of this compact are:

(a) To promote interstate comity between the signatory states;
(b) To provide adequate storage capacity for impounding the waters of the Merrimack River and its tributaries, designed primarily for the protection of life and property from floods;

(c) To provide a joint or common agency through which the signatory states, while promoting, protecting and preserving to each the local interest and sovereignty of the respective signatory states, may more effectively co-operate in accomplishing the object of flood control in the basin of the Merrimack River and its tributaries, and, among other things:

(1) To acquire by lease from the states signatory hereto, or either of them, all lands, easements and rights of way necessary for the construction of the projects herein contemplated, without cost to the United States, except as provided in said Act of Congress hereinbefore referred to;

(2) To hold and save the United States free from damages due to the construction works;

(3) To maintain and operate all the works contemplated after completion in accordance with regulations prescribed by the Secretary of War;

(4) To accept from the signatory states hereto, and from any other source, contributions of moneys as hereinafter set forth for the purposes herein set forth, including without limiting the same, funds for the acquisition of lands, easements and rights of way, for the payment of damages and for the operation and maintenance of said flood control reservoirs, and for the expenses incidental thereto and to the functions of the Merrimack River Valley Flood Control Commission hereinafter created.

ARTICLE II.

There is hereby created "The Merrimack River Valley Flood Control Commission," hereinafter referred to as the Commission, which shall consist of six commissioners, three of whom shall be residents of the Commonwealth of Massachusetts and three of whom shall be residents of the State of New Hampshire.

Each state shall choose its members of said Commission in such manner and for such terms as may from time to time be provided by the law thereof. A commissioner may be removed or suspended from office as provided by the law of the state which he represents; and any vacancy occurring in said Commission shall be filled in accordance with the law of the state in whose representation such vacancy exists.

A majority of the members from each state shall constitute a quorum for the transaction of business, the exercise of any powers or the performance of any duties, but no action of the Commission shall be binding unless at least two of the members from each state shall vote in favor thereof.

The compensation of the members of said Commission shall be fixed and paid by the state which they respectively represent. All necessary expenses incurred in the performance of their duties shall be paid from the funds of said Commission.

The Commission shall elect from its members a chairman, vice-chairman, clerk and treasurer. Such treasurer shall furnish to said Commission, at its expense, a bond with corporate surety, to be approved by said Commission, in such amount as said Commission may determine, conditioned for the faithful performance of his duties.

The Commission shall adopt suitable by-laws, and shall make such rules and regulations as it may deem advisable governing the operation of flood control projects, not inconsistent with the laws of the signatory states or laws of the United States, and any rules or regulations lawfully promulgated thereunder.

The Commission shall make an annual report to the Governor of each of the signatory states, setting forth in detail the operations and transactions conducted by it pursuant to this compact and any legislation thereunder.

The Commission shall keep a record of all its meetings and proceedings, contracts and accounts, and shall maintain a suitable office, where its maps, plans, documents, records and accounts shall be kept, subject to public inspection at such times and under such regulations as the Commission shall determine.

ARTICLE III.

The Commission shall constitute a body, both corporate and politic, with full power and authority, —

(1) To acquire by lease and to hold lands, easements and rights of way for reservoirs herein contemplated, including such reservoirs, when and as completed, and any and all lands, easements and rights of way which may be necessary for the use and enjoyment of said reservoirs;

(2) To hold, maintain and operate reservoirs, including appurtenances, for the purposes of flood control;

(3) To receive funds and moneys from the signatory states or other sources, for the purpose of acquiring, operating and maintaining such reservoirs as may hereafter be constructed within the basin of the Merrimack River under the terms of this compact, including, without limiting the same, funds for the acquisition of lands, easements and rights of way, for the payment of damages and for the maintenance and operation of said reservoirs, and the expenses incidental thereto and to the functions of the Commission;

(4) To sue and be sued;

(5) To have a seal and alter the same at pleasure;

(6) To appoint, employ or contract with such agents and employees, including the New Hampshire Water Resources Board, as may be

required in the proper performance of the duties hereby committed to the Commission, and to fix and determine the qualifications, duties and compensations of such agents and employees;

(7) To enter into such contracts and agreements, and to do and perform any and all such acts, matters and things as may be necessary and essential to the full and complete performance of the powers and duties hereby committed to and imposed upon it in connection with the construction, operation and maintenance of the system of reservoirs hereby or hereafter authorized and as may be incidental thereto; and

(8) To have such additional powers and duties as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of either of said states, concurred in by the legislature of the other state.

The Commission shall be charged with the duty, and it is hereby authorized and empowered, to give such assurances, satisfactory to the Secretary of War, as are required by Section 3 of the Act of Congress hereinbefore referred to.

The Commission may make, or may cause to be made, such studies as it may deem necessary, in co-operation with the War Department, for the development of a comprehensive plan of flood control, as herein defined, and for the efficient management and regulation of said flood control system, and from time to time shall make reports and recommendations in respect thereto to the Governors of the signatory states.

The Commission shall not pledge the credit of the signatory states, or either of them, nor shall it convey, encumber, or in any way undertake to alienate the lands, easements and rights of way leased to it, as hereinafter provided, or any part thereof, or any interest therein, except by and with the consent of the signatory states.

ARTICLE IV.

There shall be established in the Merrimack River Basin as an initial plan of flood control the following two proposed reservoirs, to wit:

(1) At Franklin on the Pemigewasset River controlling a drainage area of approximately one thousand (1,000) square miles, and providing for flood control storage for approximately three and nineteen hundredths (3.19) inches of runoff over said drainage area, the dam at said reservoir to be constructed in such manner as to provide for flood control and in addition thereto to be so designed and constructed as to make it available for conservation or recreational purposes up to fifty per cent of the volume during such portions of the year as may be approved by the Secretary of War.

(2) At Swetts Mills on the Blackwater River controlling a drainage area of one hundred and twenty-five (125) square miles and providing for approximately six and nine-tenths inches of runoff over said drainage area, the dam of said reservoir to be constructed in such a manner as to provide for flood control, and in addition thereto, at the option of the State of New Hampshire, to be so designed and constructed as to provide for further development by increasing storage capacity, the added storage to be used for water conservation or power development.

The type and general plans for the construction of the two reservoirs herein provided to be constructed as an initial plan of flood control on the Merrimack River Basin are to be approved by the Merrimack River Valley Flood Control Commission, hereinbefore created, before any construction work thereon is begun or prosecuted.

In so far as any of the foregoing reservoirs may be constructed for the combined purpose of flood control and conservation or recreational purposes, neither of the signatory states wherein such reservoirs are located shall be obligated to pay any additional cost of construction.

ARTICLE V.

To the end that the Merrimack River Valley Flood Control Commission may give to the Secretary of War the assurances required under Section 3 of the Act of Congress hereinbefore referred to, and that the lands, easements and rights of way necessary for the construction by the United States of the reservoirs and structures thereon, herein contemplated, may be provided, each state at the request of the Commission shall proceed forthwith to acquire title to and possession of the lands, easements and rights of way within its territorial limits, which are determined and designated by the Commission for the construction of such reservoir or reservoirs.

Such acquisition shall be by purchase or by the exercise of the right of eminent domain, as said Commission may direct, and in the manner now or hereafter provided for by the law of the state wherein such lands, easements and rights of way are located. Title to such lands, easements and rights of way shall be taken in the name of the state wherein the same are located. The cost of acquisition, as hereinafter defined, shall be borne by said Commission and paid from and out of the funds contributed by the signatory states for such purpose, as hereinafter provided.

Each state, upon notice from and at the sole expense of said Commission, shall forthwith proceed to make, or cause to be made, such highway relocations, including the acquisition of all necessary rights of way therefor, and the construction of such relocated highway, as may become necessary therein because of the construction, operation and maintenance of any reservoir or reservoirs for flood control purposes; provided, however, that due allowance shall be made on account of any improved type of construction of such relocated highway. The character, location, route and construction of such relocated highways shall be determined by the state wherein such relocated highways are situated.

Any new or relocated highway shall, after construction, be and become a public way in the town in which located, or, if built as a relocation of a state highway, shall become a state highway, and when the Commission shall have notified the town or the state, as the case may be, of the completion of said highway, the jurisdiction and responsibility of the Commission over same shall cease and shall devolve upon the town or state in which the way is located.

In like manner, such state, at the expense of the Commission and upon its request shall procure the relocation of any railroad, electric transmission, telephone or telegraph lines, or other public utility structures, including new rights of way therefor as may be essential on account of the construction, operation and maintenance of such reservoir for flood control purposes.

ARTICLE VI.

The Commission shall save the states in which such reservoirs are located, free and harmless from all loss, cost, damage or expense in connection with the flood control, operation and maintenance of such reservoir or reservoirs except as hereinafter provided in Articles X and XII.

In the construction and maintenance of such reservoir or reservoirs the Commission shall cause the area which may be flowed thereby when full, to be cleared of buildings and all such trees, brush and underbrush as from time to time may be damaged or killed by such flowage; shall cause borrow pits or banks, other excavations or unused accumulations of material and debris, to be leveled, graded, masked, removed or otherwise disposed of in such a way as to leave no holes or other unsightly conditions therein; and shall cause all water pockets to be properly drained and the premises affected by such flowage to be landscaped in such manner as may reasonably preserve the natural condition of such premises before such construction, except as the same necessarily may be changed thereby.

The lands, easements and rights of way hereby leased shall be exempt from all taxation, but the said commission shall make payments on or before the first day of October of each year to each town in which such lands, easements and rights of way, respectively, are located, of a sum equal to the taxes which would have been assessed against the said lands, easements and rights of way in such town if the same had been included in the list of taxable property for such year, at the assessed valuation of the same as determined for the tax year 1936. Provided, however, that no payment shall be made or required hereunder on account of reimbursement for loss of taxes on any structure which may be erected on such premises in connection with the construction or use of said project, or on account of any railroad or other public utility which may be relocated under the terms of this compact, and which thereafter is included in the list of taxable property in said town when relocated.

ARTICLE VII.

When said lands, easements and rights of way essential to the construction of any dam or reservoir shall have been acquired as hereinbefore provided, the state wherein the same are located shall make, execute and deliver to said Commission a good and sufficient lease of the same, to include the structures thereon when completed and accepted by the state, except as hereinafter provided, upon the terms and conditions following, to wit:

(a) The said Commission shall save the state in which said reservoirs are respectively located, free and harmless from all loss, cost, damage or expense in connection with the control, operation and maintenance of said reservoir or reservoirs except as hereinafter provided in Articles X and XII.

(b) In the construction and maintenance of such reservoir or reservoirs, the area which may be flowed thereby, when full, shall be cleared of buildings and of such trees, brush and underbrush as from time to time may be damaged or killed by such flowage; borrow pits or banks, other excavations or unused accumulations of material and debris, shall be leveled, graded, masked, removed or otherwise disposed of in such a way as to leave no holes or other unsightly conditions therein; all water pockets shall be properly drained; and the premises affected by such flowage shall be landscaped in such manner as may reasonably preserve the natural condition of such premises before such construction, except as the same necessarily may be changed thereby.

(c) The lands, easements and rights of way hereby leased shall be exempt from all taxation; but the said Commission shall make payments on or before the first day of October of each year to each town in which such lands, easements and rights of way, respectively, are located, of a sum equal to the taxes which would have been assessed against the said lands, easements and rights of way in such town if the same had been included in the list of taxable property for such year, at the assessed valuation of the same as determined for the tax year 1936. Provided, however, that no payment shall be made or required hereunder on account of reimbursement for loss of taxes on any structure which may be erected on such premises in connection with the construction or use of said project; or on account of any railroad or other public utility which may be relocated under the terms of this compact and which thereafter is included in the list of taxable property in said town when relocated.

(d) The lands, easements and rights of way herein described are leased and demised solely for the purpose of flood control, and for no other purpose, and the said lessor hereby excepts from this lease and reserves unto itself all benefit or advantage of water conservation, power storage or power development that may be inherent in such reservoir site, with the right, at such time as it may determine and upon compliance with the requirements of the United States respecting the adjustment and payment of any added construction cost by reason of the type of construction adapted for that purpose, and the assumption and payment of the cost of acquiring any additional lands, easements and rights of way necessitated by such additional develop-

ment, and the full preservation of the principal purpose of flood control, to develop the same in such manner and for such purpose as may be essential to the full beneficial use thereof.

(e) The term of said lease shall be for the period of nine hundred and ninety-nine years, subject only to be defeated by a breach of the terms or the conditions in this article set forth.

ARTICLE VIII.

The cost of acquisition of lands, easements and rights of way, as used or referred to herein, shall be deemed to include the cost of:

(1) The purchasing or condemning of lands, easements and rights of way of every kind and nature required or essential in the construction, development, operation and maintenance of such reservoirs as an effective agency for flood control, and including, among other things, camp sites, borrow banks or pits, rock ledges, gravel deposits and rights of way thereto in the vicinity of the dam necessary for the construction and maintenance thereof.

(2) The reconstruction, relocation or elevation of public highways, including bridges or other structures;

(3) The reconstruction or relocation of public service utilities, including railroads and the alteration of bridges and structures thereon, whether publicly or privately owned;

(4) The reconstruction or relocation of telegraph, telephone or electric distribution and transmission lines, pipe lines, aqueducts, water or gas mains;

(5) And any and all other damages, expenses or costs that may be necessitated or incurred in procuring and providing the sites necessary for the construction of the reservoirs herein contemplated, including the cost and expense of acquiring such lands, easements and rights of way and procuring the reconstruction or relocation of the highways, bridges, railroads, telephone, telegraph and electric lines, pipes, aqueducts and mains above mentioned, or the rights of way for the same, or any other similar expenditures.

ARTICLE IX.

The rights to be acquired and exercised by the Commission are solely for flood control purposes, and each of the respective signatory states, wherein any reservoir may be situated, reserves respectively unto itself all benefit or advantage of water conservation, power storage or power development that may be inherent in such reservoir site.

In the event either signatory state may wish to preserve to itself the value of such site for the purposes aforesaid, it may, through an appropriate agency of the state, so notify the United States, through the War Department, before any construction work is commenced hereunder for flood control purposes, so that the design and construction of the dam at such site may be developed in such manner as to provide for further development as a storage reservoir for the conservation of water, enhancement of stream flow or power development.

Provided, however, that nothing herein contained shall be deemed to prevent either state, at its option, at any time hereafter, by itself or through such agency as it may designate, from developing any such reservoir or reservoirs for use for water conservation, power storage or power development, in order that it may avail itself of the full beneficial use and enjoyment of the rights herein reserved. In such event, such state shall pay or provide for the payment of all costs or expenses necessary for such further development, including adaptation of any existing dam and works to such purpose, in accordance with plans approved by the Secretary of War, and at all times fully preserve the primary purpose of flood control.

The terms and conditions under which any such signatory state shall make available the rights of water conservation, power storage or power development herein reserved shall be determined by separate agreement or arrangement between such state and the United States; and the type and general plans for the construction of such of the reser-

voirs as are herein contemplated to provide for such further development shall be approved by some agency of such state, for that purpose duly authorized, before any construction thereon is begun or prosecuted.

ARTICLE X.

In order that an adequate fund may be established and created from which payments for the acquisition of lands, easements and rights of way may be made, the signatory states become bound and each hereby obligates itself to pay to the Commission the proportion of the cost of acquisition of lands, easements and rights of way respectively set forth below, and subject to the limitations hereinafter provided as follows:

(1) The Commonwealth of Massachusetts fifty per cent thereof.

(2) The State of New Hampshire fifty per cent thereof.

Provided, however, that it is the understanding, intent and purpose of the parties hereto that the cost of acquisition of lands, easements and rights of way for two reservoirs, provided for herein, shall not exceed the sum of Two Million Two Hundred and Eighty-five Thousand Dollars (\$2,285,000), and that the drainage area of the Merrimack River Basin to be controlled thereby shall be approximately twenty-two and one-half (22.5) per cent thereof; and it is expressly provided that the maximum amount for the cost of acquisition of lands, easements and rights of way to which each of the signatory states shall be bound or obligated on account of said two reservoirs shall not exceed the respective proportions hereinbefore set forth of said sum of Two Million Two Hundred and Eighty-five Thousand Dollars (\$2,285,000).

The fiscal year shall be deemed to begin on July 1st and end on June 30th. Payment by the signatory states of the cost of acquisition shall be made as and when requested by the Commission on or after July 1, 1937; provided that not more than one-half of said sum of Two Million Two Hundred and Eighty-five Thousand Dollars (\$2,285,000) shall be required to be paid in any fiscal year after said date.

ARTICLE XI.

In the execution of the initial plan of two reservoirs herein contemplated said Commission, with the approval of the Secretary of War, shall determine the order in which the construction work of the same shall be commenced and prosecuted.

The initial plan for the construction of two reservoirs herein mentioned and provided for is part of a long range comprehensive program for flood control on the Merrimack River and its tributaries, the object and purpose of the signatory states being to enlarge and expand such flood control projects to an ultimate control.

In the further development of such comprehensive program, said Commission shall determine from time to time the site, character, location and extent of such additional reservoirs, subject to the approval of the legislature of the state in which the same may be located.

ARTICLE XII.

Each of the signatory states shall annually contribute and pay to the Commission the respective proportions of the expense of operation and maintenance of the flood control reservoirs hereafter constructed under the terms of this agreement as follows:

The Commonwealth of Massachusetts fifty per cent thereof,

The State of New Hampshire fifty per cent thereof,

and each state shall make adequate provision for compliance on its part with the provisions of this Article, and funds shall be made available as and when required upon the requisition of the Commission.

As a part of the expense of operation and maintenance of said reservoirs the Commission shall assume and pay to the respective towns entitled thereto the cost of reimbursement for loss of taxes, as set forth and required in the third paragraph of Article VI hereof, and shall pay all costs incident to or damages resulting from the operation and maintenance of such flood control reservoirs, and shall save the United States free and harmless on account thereof, and shall pay

all other costs or expenses which may be necessary in the operation and maintenance thereof, including the expenses of the members of said Commission hereinbefore provided to be paid out of the funds of said Commission.

ARTICLE XIII.

Each of the signatory states hereby releases and discharges the other and the Commission of and from all damages, which may be claimed to result from the obstruction, detention, impounding, storage, release or diversion of the waters of said Merrimack River and its tributaries, in so far as the same may be in any way affected by the construction, operation or maintenance of the reservoirs herein contemplated.

ARTICLE XIV.

This compact shall become operative and effective when approved by the legislatures of each of the signatory states and by the Congress of the United States. Notice of approval shall be given by the Governor of each state to the Governor of the other state and to the President of the United States, and the President of the United States is requested to give notice to the governor of each of the signatory states of its approval by the Congress of the United States.

In witness whereof, This compact has been executed by the Commonwealth of Massachusetts on the _____ day of _____ A.D. 19____, by its Planning Board thereunto lawfully authorized, and by the State of New Hampshire on the _____ day of _____ A.D. 19____, by its commissioners thereunto lawfully authorized.

For the Commonwealth of Massachusetts,

Chairman of State Planning Board.

For the State of New Hampshire,

SECTION 2. Said compact, when approved by the legislatures of each of said states and by the congress of the United States, shall thereupon become operative and effective. The governor is hereby authorized and directed forthwith to notify the governor of New Hampshire and the president of the United States, that the commonwealth on its part has approved and ratified said compact. Upon its execution in triplicate by the commissioners of each of said states as aforesaid, a duly executed original of said compact shall be filed in the office of the state secretary, together with the original notice of ratification received from the governor of New Hampshire, and such notice, if any, as may be received from the president or the congress of the United States, signifying the approval thereof by such congress.

SECTION 3. After the aforesaid compact shall have become effective as provided in section two of this act, the governor, with the advice and consent of the council, shall appoint three members of The Merrimack River Valley Flood Control Commission, provided for in Article II of said compact, one of whom shall serve until the first day of

February, nineteen hundred and thirty-nine, one of whom shall serve until the first day of February, nineteen hundred and forty-one, and one of whom shall serve until the first day of February, nineteen hundred and forty-three. During the last two weeks of the month of January, nineteen hundred and thirty-nine, and biennially thereafter, the governor, with the advice and consent of the council, shall appoint one member of the said commission whose term of office shall be six years from and after the first day of February of the year in which he is appointed. Sections eight to twelve, inclusive, of chapter thirty of the General Laws shall apply to said members.

SECTION 4. Each member of said commission appointed by the commonwealth who does not hold salaried state office while he is a member thereof shall be paid by the commonwealth, as compensation for his services, the sum of twenty-five dollars a day for each day's service performed in connection with his duties as such member. Such compensation shall be paid by the state treasurer to each member, not more often than every two weeks, upon bills approved by the chairman, vice-chairman or clerk of said commission.

Approved May 29, 1937.

AN ACT ESTABLISHING A COMMISSION ON INTERSTATE CO-OPERATION AS SUCCESSOR TO THE COMMISSION ON INTERSTATE COMPACTS AFFECTING LABOR AND INDUSTRIES AND DEFINING ITS POWERS AND DUTIES, AND PROVIDING FOR A COMMISSION REQUIRED TO BE ESTABLISHED UNDER AN INTERSTATE COMPACT ON THE MINIMUM WAGE.

Chap. 404

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter nine of the General Laws is hereby amended by adding at the end thereof, under the heading, COMMISSION ON INTERSTATE CO-OPERATION, the five following new sections:— *Section 21.* There shall be in the department of the state secretary, but in no way subject to his control, a commission on interstate co-operation, in this and the four following sections called the commission. The commission shall consist of nine members of the general court, of whom three shall be members of the senate designated by the president thereof and six shall be members of the house of representatives designated by the speaker thereof, one of the commissioners on uniform state laws designated by said commissioners, the chairman or a member of the state planning board designated by the governor, and four persons, who may be state officials, appointed by the governor. Members appointed by the governor shall serve at his pleasure. Each member of the senate or house of repre-

G. L. (Ter.
Ed.), 9,
new sections
21-25, added.

Commission,
members of,
term of office.

sentatives designated as a member of the commission shall hold office for the term of four years, unless, prior to the expiration of such term, he shall cease to be a member of said senate or house of representatives; and, in any such event, the resulting vacancy shall be filled by designation, for the remainder of the unexpired term, made in the same manner as an original designation. The chairman of the commission shall be elected by the commission. The members of the commission shall serve without compensation but shall be paid their necessary expenses incurred in the performance of their duties. The commission may employ a secretary and such other assistants, including technical experts, as may be required in the performance of its duties.

Advisory
boards.

Section 22. The commission may establish such committees and advisory boards as appear desirable, to conduct conferences and formulate proposals concerning subjects of intergovernmental co-operation. Subject to the approval of the commission, the members of every such committee and advisory board shall be appointed by the chairman of the commission. Whenever requested by the commission, the head of any state department, board or commission shall nominate a qualified official of such department to serve as a member of a committee or board, or to give such advice and assistance as the commission may desire. Other persons may also be so appointed as members of such committees or boards, but at least one member of the commission shall be appointed as a member of every such committee and board. The commission may make such rules as it considers appropriate to govern the membership and proceedings of any committee or board established as aforesaid.

Powers
and duties.

Section 23. It shall be a primary function of the commission to further the participation of the commonwealth as a member of the council of state governments, both regionally and nationally, to confer with officials of other states and of the federal government, to formulate proposals for co-operation between this commonwealth and other states, and with the federal government, and to organize and maintain facilities for accomplishing these purposes. The commission may delegate not more than five of its members to attend any interstate conference that may be necessary or advisable in the conduct of its negotiations. The commission shall give particular attention to the establishment of fair and reasonable standards for labor and industry, including minimum wages, maximum hours of labor, conditions of employment of women and minors and other conditions and standards of employment, and shall also consider such questions as taxation and crime prevention, and such other subjects as may from time to time be referred to it by the governor or the general court.

Report.

Section 24. The commission shall report to the general court with its recommendations for legislation, if any, annually during the month of December, and at other times when the status of its negotiations may make such report desirable.

Section 25. A member of the commission on interstate co-operation appointed by the governor shall be designated by him to be a member of the commission required to be established by section two of Title II of the Interstate Compact on the Minimum Wage, ratified on the part of this commonwealth by chapter three hundred and eighty-three of the acts of nineteen hundred and thirty-four. The governor shall also, with the advice and consent of the council, appoint two other members to serve on said commission on the minimum wage. Such designation and appointments shall be so made that one member shall represent industry, one shall represent labor and one shall represent the public, as required by the said interstate compact. The two original appointments under this section shall be for terms of two and three years, respectively, and thereafter each appointment shall be for a term of three years. Any vacancy in the two appointive positions shall be filled by appointment in like manner for the remainder of the unexpired term. The governor shall designate the chairman of said commission on the minimum wage, and its members shall serve without compensation as such but shall be paid any necessary expenses incurred in the performance of their duties. The three members of said commission on the minimum wage shall always be members of any committee or advisory board on industry and labor established as hereinbefore provided.

Duties of certain members of the commission.

SECTION 2. The existence of the commission on interstate compacts affecting labor and industries, established by chapter forty-four of the resolves of nineteen hundred and thirty-three, and continued and enlarged by chapter twenty-five of the resolves of nineteen hundred and thirty-four and chapter three hundred and fifteen of the acts of nineteen hundred and thirty-five, shall terminate on the qualification of the members of the commission on interstate co-operation established by this act, which shall in all respects be the successor of said commission on interstate compacts affecting labor and industries. Each member of the general court now serving as a member of the said commission on interstate compacts affecting labor and industries shall serve as a member of the commission established by this act for a term of four years from the effective date hereof, unless, before the expiration of such term, he shall resign or cease to be a member of the branch of which he was a member when appointed to said former commission, and in that case his successor shall be designated as provided in section twenty-one of chapter nine of the General Laws, inserted by section one of this act.

Existing commission on interstate compacts affecting labor and industries terminated.

SECTION 3. The said commission on interstate co-operation may expend in the current fiscal year such sums, not exceeding, in the aggregate, one thousand dollars, as may be appropriated, in addition to the unexpended balance of sums appropriated for the expenses of the said commission on interstate compacts affecting labor and industries.

Expense during current year.

Approved May 29, 1937.

*Chap.*405 AN ACT AUTHORIZING THE CITY OF HAVERHILL TO CONSTRUCT AND MAINTAIN FLOOD PROTECTION WORKS ALONG THE MERRIMACK RIVER AND LITTLE RIVER, AND TO USE CERTAIN LAND FOR CERTAIN MUNICIPAL PURPOSES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The city of Haverhill, in conjunction with the Merrimack river flood protection projects of the United States of America, as authorized by an act of Congress approved June twenty-second, nineteen hundred and thirty-six, may construct and maintain a seawall, dikes or other works on the northerly bank of the Merrimack river and southerly of its harbor line, and over tide water, within the limits of said city, and may construct and maintain a culvert or tunnel over the tributary of said river now known as Little river, over tide water, within the limits of said city, in accordance with plans prepared by the United States Engineers' Office, Custom House, Boston, Massachusetts, entitled "Flood Protection at Haverhill, Mass.," filed or to be filed in the registry of deeds for the southern district of Essex county.

SECTION 2. For any or all of the projects authorized by section one, said city may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, lands, easements, rights of way, water rights or other property, on the northerly side of said Merrimack river or on one or both sides of said Little river; and any person injured in his property by any act of said city under any provision of this act may recover from said city damages therefor under said chapter seventy-nine.

SECTION 3. If any limited or determinable area within said city receives any benefit other than the general advantage to the community from any improvement made under authority of this act, under an order declaring the same to be done under the provisions of law authorizing the assessment of betterments, the municipal council of said city shall, within two years after the completion of such improvement, determine the value of such benefit or advantage to the lands within such area, and assess upon each parcel thereof a proportionate share of the cost of such improvement, including therein all costs for the purchase and all damages for the taking of lands, easements, rights of way, water rights and other property in order to carry out such improvement, and all other sums expended under authority of this act, but not exceeding one half of such adjudged benefit or advantage. Chapter eighty of the General Laws shall apply to such assessments and the collection thereof, except as otherwise provided herein.

SECTION 4. The said city of Haverhill may, after the completion of any such seawall, fill with dirt or other material all land north of said seawall now or formerly under tide water and which is not subject to a license issued under chapter ninety-one of the General Laws, and may use said land for the purpose of laying and maintaining conduits and pipes or such other structures as it may deem necessary for the disposal of surface water or sewage. Said city may use the land between said seawall and the harbor line, as established by chapter one hundred and four of the acts of eighteen hundred and eighty-three, as amended by chapter three hundred and thirteen of the acts of nineteen hundred and two, and as further amended, for the further purpose of laying out and maintaining a public highway. All of the said land north of said harbor line now or formerly under tide water shall, except as otherwise provided herein, be subject to said chapter ninety-one; provided, that nothing in this act shall be construed as an infringement or revocation of any license or authority granted under any general or special law.

Approved May 29, 1937.

AN ACT RELATIVE TO THE CITATION OF EXECUTORS AND ADMINISTRATORS OF DECEASED DEFENDANTS IN PERSONAL ACTIONS THE CAUSE OF WHICH SURVIVES AND TO THE TIME OF BRINGING CERTAIN OF SUCH ACTIONS AGAINST EXECUTORS AND ADMINISTRATORS.

Chap. 406

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and twenty-eight of the General Laws is hereby amended by striking out section five, as amended by section seven of chapter two hundred and twenty-one of the acts of nineteen hundred and thirty-three, and inserting in place thereof the following: — *Section 5.* Such citation shall be returnable at such time as the court may order and shall be served fourteen days at least before the return day; but it shall not issue after the expiration of one year from the time such executor or administrator has given bond, except that if the supreme judicial court, upon a bill in equity filed by a plaintiff or former plaintiff in a personal action the cause of which survives and who had a right to take out such a citation against the executor or administrator of a sole defendant but who did not do so within the time limited in this section, deems that justice and equity require it and that such party is not chargeable with culpable neglect in not taking out such citation within the time so limited, it may order such executor or administrator to appear in that action and defend the same and may order that any finding, verdict, order, judgment or

G. L. (Ter.
Ed.), 228,
§ 5, etc.,
amended.

Citation of
executors,
etc.

other act therein entered or done, which otherwise would prevent the prosecution of the cause to determination on its merits, be vacated, and upon the filing therein of a copy of the decree ordering the vacation thereof such finding, verdict, order, judgment or other act shall stand vacated, and it may make further orders, all so that said action may proceed to final determination on its merits as though such executor or administrator had been cited in within the time limited by this section. If at the hearing of such a bill in equity it shall be made to appear to said court that the legal representative of the deceased person within nine months of his appointment failed to notify in writing the petitioner of such death and failed within said nine months duly to suggest such death in such action, such facts may be sufficient ground for granting the relief herein authorized. Neither such relief nor the final determination of such action shall affect any payment or distribution not concerned with said action which was made before the filing of such bill in equity.

G. L. (Ter.
Ed.), 260,
§ 10, amended.

Limitation
of actions.
Extension of
time in
certain cases.

SECTION 2. Section ten of chapter two hundred and sixty of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding at the end the following new sentence: — If a person, liable to an action for death the payment of the judgment in which is required to be secured by chapter ninety, dies before the expiration of the time limited in section four, or within thirty days after the expiration of said time, the action may be commenced against the executor or administrator subject to the pertinent limitations in chapter one hundred and ninety-seven, relative to the limitation of actions against the executor or administrator by creditors of the deceased.

G. L. (Ter.
Ed.), 229,
§ 5, amended.

Actions for
death in
general.

SECTION 3. Section five of chapter two hundred and twenty-nine of the General Laws, as so appearing, is hereby amended by striking out, in the ninth line, the words "section four" and inserting in place thereof the words: — sections four and ten, — so as to read as follows: — *Section 5.* Except as provided in sections one, two and three, a person who by his negligence or by his wilful, wanton or reckless act, or by the negligence or wilful, wanton or reckless act of his agents or servants while engaged in his business, causes the death of a person in the exercise of due care, who is not in his employment or service, shall be liable in damages in the sum of not less than five hundred nor more than ten thousand dollars, to be assessed with reference to the degree of his culpability or of that of his agents or servants, to be recovered in an action of tort, commenced, except as provided by sections four and ten of chapter two hundred and sixty, within two years after the injury which caused the death by the executor or administrator of the deceased, to be distributed as provided in section one.

Approved May 29, 1937.

AN ACT RELATIVE TO PUBLIC INSPECTION OF CERTAIN ORDERS AND CLAIMS, IN ADVANCE OF APPROVAL OR REJECTION THEREOF, IN CONNECTION WITH STATE CONTRACTS. Chap. 407

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency preamble.

Be it enacted, etc., as follows:

Chapter twenty-nine of the General Laws is hereby amended by inserting after section twenty, as appearing in the Tercentenary Edition, the following new section: — G. L. (Ter. Ed.), 29, new section 20A, added.

Section 20A. No order for, or claim for payment for, extra work or materials, furnishings or equipment, in addition to an existing contract for the construction or repair of any structure or of public works of any nature whatsoever or for equipment or furnishings, shall be approved by any official, board, department or commission on behalf of the commonwealth until one week after notice of intention to act upon such order or claim shall have been filed by him or it with the comptroller; provided, that, in the case of any such order estimated to involve a cost of less than one thousand dollars and in the case of any such order necessitated by extreme emergency involving the health or safety of persons or damage to property or to work in progress, notice of the approval of such order may be filed after the work has been commenced or completed, but such notice shall be so filed as soon as practicable, with a brief statement as to the character of the extreme emergency, if any, and in any event such notice shall be filed before final payment is made on the contract to which the order or claim for extra work or payment relates. Public inspection of claims, etc., affecting state contracts.

The foregoing requirements shall not apply to change in quantities of work or materials covered at unit prices by an item or items in any such original contract, nor to work, other than extra work, for which payment is specifically provided in the contract or specifications. Every notice under this section shall contain the number or other designation of such contract, together with the title and date thereof, and a statement of the amount of the accepted bid and of the estimated total cost based on the bid prices of such contract, and of the total amount of orders or claims previously approved for payment, and of the character and location of work proposed or included under each such order or claim, and of the estimated cost or amount under each such order or claim. Said notices shall be entered by the comptroller upon a docket and shall be open to public inspection.

No such order or claim shall be split or divided for the purpose of evading any provision of this section.

Approved May 29, 1937.

Chap.408 AN ACT RELATIVE TO JUDGES AND SPECIAL JUDGES OF PROBATE AND INSOLVENCY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 217, § 34, amended.

Salaries of judges of probate.

SECTION 1. Chapter two hundred and seventeen of the General Laws is hereby amended by striking out section thirty-four, as appearing in the Tercentenary Edition, and inserting in place thereof the following:— *Section 34.* The salaries of all judges of probate shall be paid by the commonwealth and are hereby established as follows:—

	County.	Salary.
Group I	Suffolk	\$11,000
Group II	Middlesex	10,000
	Norfolk	10,000
Group III	Bristol	8,500
	Essex	8,500
	Hampden	8,500
	Worcester	8,500
Group IV	Barnstable	6,000
	Berkshire	6,000
	Franklin	6,000
	Hampshire	6,000
	Plymouth	6,000
Group V	Dukes	3,000
	Nantucket	3,000

G. L. (Ter. Ed.), 217, § 38, repealed.

G. L. (Ter. Ed.), 217, §§ 5 and 6, stricken out, and §§ 5, 5A, 6, and 6A, inserted.

Oaths of judge.

Oaths of register.

Judge to be disinterested.

SECTION 2. Section thirty-eight of said chapter two hundred and seventeen, as so appearing, is hereby repealed.

SECTION 3. Said chapter two hundred and seventeen is hereby further amended by striking out sections five and six, as so appearing, and inserting in place thereof the following:— *Section 5.* Each judge of probate, before entering upon the performance of his official duties, in addition to the oaths prescribed by the constitution, shall take and subscribe an oath that he will faithfully discharge said duties and that he will not during his continuance in office violate any provision of section six. Such oath shall be filed in the registry of probate of the county for which he is appointed.

Section 5A. Each register, before entering upon the performance of his official duties, in addition to the oaths prescribed by the constitution, shall take and subscribe an oath that he will faithfully discharge said duties and that he will not during his continuance in office, directly or indirectly, be interested in, or benefited by, the fees or emoluments which may arise in any suit or matter pending in either of the courts of which he is register. Such oaths shall be filed in the registry of probate of the county for which he is elected.

Section 6. No judge of probate shall be interested in, or benefited by, the fees or emoluments which may arise in any matter pending before any probate court or court of insolvency of this commonwealth, or which may arise in any suit or action pending in any court of this commonwealth where the subject matter or cause of action is founded

upon or derived from proceedings begun in any of the probate courts or courts of insolvency nor shall he, except as otherwise provided, be appointed or act as executor, administrator, guardian, conservator, trustee under a will, commissioner, appraiser or assignee of or upon an estate within the jurisdiction of any probate court; nor shall he be interested in the fees or emoluments arising from any of said trusts. No judge of probate receiving a salary of five thousand dollars or more shall directly or indirectly engage in the practice of law. No judge of probate receiving a salary of less than five thousand dollars shall be retained or employed or act as counsel or attorney, either in or out of court, in any suit or matter which may depend on or in any way relate to a decision, warrant, order or decree made or passed by any probate court or court of insolvency; nor for or against an executor, administrator, guardian, conservator or trustee under a will appointed within the jurisdiction of any probate court, in any action or suit brought by or against the executor, administrator, guardian, conservator or trustee under a will as such; nor in any action or suit relating to the official conduct of such party; nor for or against a creditor, debtor or assignee, in a cause or matter arising out of or connected with any proceedings before any probate court or court of insolvency; nor in an appeal in such cause or matter; provided, that nothing in this section shall prohibit the practice of law as a conveyancer by a judge of probate receiving a salary of less than five thousand dollars.

Section 6A. No special judge of probate, register, assistant register or person employed in any registry of probate and insolvency shall be interested in, or benefited by, the fees or emoluments which may arise in any matter pending before the probate court or court of insolvency of his county; nor shall he act as counsel or attorney, either in or out of court, in any matter pending before said courts or in an appeal therefrom; nor shall he, except as otherwise provided, be appointed or act as executor, administrator, guardian, conservator, commissioner, appraiser or assignee of or upon an estate within the jurisdiction of his court; nor shall he be interested in the fees or emoluments arising from any of said trusts; provided, that nothing in this section shall prohibit the practice of law before said courts by a special judge of probate. Section seven of chapter one hundred and ninety-two and section seven of this chapter shall apply to a special judge of probate.

SECTION 4. Section seven of said chapter two hundred and seventeen, as so appearing, is hereby amended by adding at the end the following: — A judge who is named as executor of or trustee under a will may be appointed as such except that, if such will is offered for probate in his county, such appointment shall be made, and all subsequent proceedings in regard thereto had, in the probate court of an adjoining county.

Special judge,
register, etc.,
to be dis-
interested.

G. L. (Ter.
Ed.), 217, § 7,
amended.

Judge may
serve as
executor,
etc., in
certain cases.

G. L. (Ter. Ed.), 217, § 8, amended.

Assistance to other judges.

SECTION 5. Said chapter two hundred and seventeen is hereby further amended by striking out section eight, as so appearing, and inserting in place thereof the following:—*Section 8.* If a judge of probate is unable to perform his duties, or any part of them, because of sickness, interest or other legal disqualification or if, in his opinion, the court requires the assistance of an additional judge or judges or if there is a vacancy in the office of judge of probate, or if the judge is absent, his duties, or such of them as he may request, shall if there is no special judge of probate in said county ready to act be performed in the same county by any judge or judges of probate of any other county, who may be designated by the judge, or, in case of his failure so to designate, who may be designated by the register from time to time as may be necessary; but, unless objection is made by an interested party before the hearing begins, any case may be heard and determined out of said county in the performance of such duties by such designated judge, who may send his decree to the registry of probate for the county where the case is pending. Any judge of probate receiving a salary of five thousand dollars or more shall assist when so designated, and any judge of probate receiving less than five thousand dollars may assist when so designated. Two or more simultaneous sessions of the court may be held, the fact being so stated upon the record.

G. L. (Ter. Ed.), 217, § 40, amended.

Compensation for certain duties.

SECTION 6. Said chapter two hundred and seventeen is hereby further amended by striking out section forty, as so appearing, and inserting in place thereof the following:—*Section 40.* A judge of probate receiving a salary of less than five thousand dollars performing any duty under section eight shall receive from the commonwealth, in addition to the amount otherwise allowed him by law, twenty-five dollars for each day that he performs such duties, and any judge of probate performing such duties shall be reimbursed by the commonwealth for his traveling expenses necessarily incurred in the performance of such duties.

G. L. (Ter. Ed.), 217, § 41, amended.

Compensation of special judges.

SECTION 7. Section forty-one of said chapter two hundred and seventeen, as so appearing, is hereby amended by striking out, in the third, fourth and fifth lines, the words "the same compensation that a judge of probate for another county would be entitled to receive for the same service" and inserting in place thereof the following:— twenty-five dollars for each day that he performs such duties, — so as to read as follows:— *Section 41.* Except as hereinafter provided, whenever a special judge holds a session of the probate court or court of insolvency, he shall receive from the commonwealth twenty-five dollars for each day that he performs such duties. The special judge of probate and insolvency for Dukes county shall be paid his actual traveling expenses necessarily incurred in the performance of his duties, irrespective of the place of holding and attending court, and also ten dollars for each day's service. Compensation for sitting in the place of the judge of probate for said county

in excess of thirty days in any one year shall be deducted by the comptroller from the salary of the judge.

SECTION 8. Upon the death, resignation or removal of any special judge of probate and insolvency, the office which he held shall be abolished without further action by the general court.

Office of special judge abolished in certain cases.

SECTION 9. This act shall take effect on December first in the current year; but nothing herein shall disqualify any judge from continuing to act in the capacity of executor, administrator, guardian, conservator, trustee under a will, commissioner, appraiser or assignee if legally appointed as such prior to said date or prevent him from receiving compensation for his services in such capacity, and nothing herein shall prevent any judge who shall have been lawfully engaged as counsel or attorney in any matter pending on said date from continuing to act as counsel or attorney in said matter or from receiving compensation for his services as such.

Effective date.

Approved May 29, 1937.

AN ACT RELATIVE TO THE RETIREMENT OR RESIGNATION OF MEMBERS OF THE JUDICIARY. *Chap. 409*

Be it enacted, etc., as follows:

SECTION 1. Chapter thirty-two of the General Laws is hereby amended by inserting after section sixty-five, as appearing in the Tercentenary Edition, the following new section:— *Section 65A.* A chief justice or any associate justice of the supreme judicial court, the superior court or the municipal court of the city of Boston, any judge or associate judge of the land court, any judge of probate and insolvency, a justice of any district court other than the municipal court of the city of Boston, or a justice of the Boston juvenile court, who shall be retired under article LVIII of the amendments to the constitution, or who, after having served as a chief justice, justice, judge or associate judge of any such court or courts at least ten years continuously and having attained the age of seventy years, shall resign his office, shall thereupon be entitled to receive a pension for life at an annual rate equal to three fourths of the annual rate of salary payable to him at the time of such retirement or resignation, to be paid from the same source and in the same manner as the salaries of like judicial officers of his court are paid.

G. L. (Ter. Ed.), 32, new section 65A, added.

Pensions for judges.

SECTION 2. Sections sixty-one to sixty-five, inclusive, of said chapter thirty-two, as so appearing, are hereby repealed.

G. L. (Ter. Ed.), 32, §§ 61-65, repealed.

SECTION 3. Section two of chapter one hundred and eighty-five of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out all after the word "judges" the first time it occurs in the third line, — so as to read as follows:— *Section 2.* There shall be three judges of the court, one of whom shall be appointed, commissioned and qualified as judge and the other two as associate judges.

G. L. (Ter. Ed.), 185, § 2, amended.

Judges of the land court.

G. L. (Ter. Ed.), 185, § 2A, repealed. 1922, 521, § 2, etc., amended.

Special provision relating to Suffolk county, etc.

Special provisions relating to members of Boston retirement system.

SECTION 4. Section two A of said chapter one hundred and eighty-five, as so appearing, is hereby repealed.

SECTION 5. Paragraph (b) of section two of chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, as most recently amended by section one of chapter three hundred and ninety of the acts of nineteen hundred and twenty-six, is hereby further amended by inserting after the word "people" in the sixth line the following: — , except members of the judiciary appointed on or after September first, nineteen hundred and thirty-seven, — so as to read as follows: — (b) "Employee" shall mean any person regularly and permanently in the employ of the city of Boston or county of Suffolk and any official or public officer whose compensation is paid by said city or county or both, whether employed or appointed for a stated term or otherwise, (except persons elected by the people, except members of the judiciary appointed on or after September first, nineteen hundred and thirty-seven, and except court officers of the supreme judicial and superior courts appointed prior to February first, nineteen hundred and twenty-three, and teachers who, on September first, nineteen hundred and twenty-three, are employed by the city of Boston and are members of the state teachers' retirement association) whose employment is such as to require that his time be devoted to the service of the city or county, or both, in each year during one half or more of the ordinary working hours of a city employee, or any regular and permanent employee of this commonwealth whose compensation is wholly paid by the city of Boston or by the county of Suffolk, and the working superintendent and his employees of the index commissioners of the county of Suffolk.

SECTION 6. Notwithstanding the provisions of section one of this act, any associate justice of the municipal court of the city of Boston or the justice of any other district court in Suffolk county or of the Boston juvenile court who is, on September first, nineteen hundred and thirty-seven, a member of the Boston retirement system, established under chapter five hundred and twenty-one of the acts of nineteen hundred and twenty-two, shall remain a member of said system and shall not be entitled to the benefits of said section one, unless and until he files, as hereinafter authorized, with the retirement board established under said chapter five hundred and twenty-one, a written statement wherein he waives and renounces, for himself, his heirs and his legal representatives, all benefits of said system. At any time prior to September first, nineteen hundred and thirty-eight, any such associate justice or justice may file with said board a written statement as aforesaid and thereupon he shall cease to be a member of said system and shall become entitled to the benefits of section one of this act; and in such a case the provisions of section sixteen of said chapter five hundred and twenty-one applicable in the case of a member of the said

system when he ceases to be an employee of the city of Boston or of the county of Suffolk by resignation shall apply.

SECTION 7. This act shall take effect on September first of the current year; but nothing contained therein shall affect any pension or retirement allowance granted prior to such date.

Effective date.

Approved May 29, 1937.

AN ACT RELATIVE TO THE TIME WITHIN WHICH NOTICE OF THE INTENTION OF CERTAIN COMMITTEES TO PARTICIPATE IN CITY AND TOWN PRIMARIES SHALL BE FURNISHED. Chap. 410

Be it enacted, etc., as follows:

Section fifty-seven of chapter fifty-three of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the second line, the word "twenty-two" and inserting in place thereof the word: — thirty, — so as to read as follows: — *Section 57.* Notices of intention to participate in primaries shall be furnished to the city or town clerk, not less than thirty days prior to the day on which the primaries are to be held, by the city and town committees of such political and municipal parties as are entitled to and desire to participate therein.

G. L. (Ter. Ed.), 53, § 57, amended.

Notice of intention to participate in primaries.

Approved May 29, 1937.

AN ACT ADVANCING THE TIME FOR FILING NOMINATION PAPERS FOR CITY AND TOWN PRIMARIES FOR CERTIFICATION IN CERTAIN CASES. Chap. 411

Be it enacted, etc., as follows:

Section sixty-one of chapter fifty-three of the General Laws, as amended by chapter one hundred and forty of the acts of nineteen hundred and thirty-six, is hereby further amended by striking out, in the seventh line, the word "Friday" and inserting in place thereof the words: — seventh day, — so as to read as follows: — *Section 61.* All nomination papers of candidates to be voted for at city or town primaries shall be filed with the city or town clerk not less than twenty week days previous to the day on which the primary is to be held for which the nominations are made. Every such nomination paper shall be submitted at or before five o'clock in the afternoon of the seventh day preceding the day on which it must be filed to the registrars of the city or town where the signers appear to be voters, and the registrars shall check each name to be certified by them on the nomination paper and shall forthwith certify thereon the number of signatures so checked which are names of voters both in the city or town and in the district for which the nomination is made, and only names so checked shall be deemed to be names of qualified voters for the purposes of nomination. The registrars need not certify a greater number of names than are required to make a nomination,

G. L. (Ter. Ed.), 53, § 61, etc., amended.

Nomination papers, time for filing, etc.

increased by one fifth thereof. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The city or town clerk shall not be required, in any case, to receive nomination papers for a candidate after receiving papers containing a sufficient number of certified names to make a nomination, increased by one fifth thereof.

Approved May 29, 1937.

Chap.412 AN ACT RELATIVE TO THE USE OF CERTAIN ELECTION DISTRICTS IN CITIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 54, § 4, etc., amended.

When new divisions of cities into wards take effect.

Chapter fifty-four of the General Laws is hereby amended by striking out section four, as most recently amended by chapter one hundred and eighty-five of the acts of nineteen hundred and thirty-six, and inserting in place thereof the following: — *Section 4.* For all elections and primaries held in any city after it has been redivided into wards and prior to any antecedent primary of the first biennial state election at which representatives are to be elected from new representative districts established under the provisions of the constitution, the wards as existing previous to such redivision shall continue and for all such purposes the election officers shall be appointed and hold office and voting lists shall be prepared and all other things required by law shall be done as if there had been no such redivision; provided, that the city council or a city may for the purposes of any municipal election and its antecedent primary or preliminary election, if any, held prior to said antecedent primary of the state election, order that the new wards shall be in effect and thereupon the mayor of such city may make such adjustments in the personnel and assignments of election officers as may be necessary. In the establishment of wards into voting precincts under this chapter, no voting precinct shall be so formed that it will be partly in one congressional district and partly in another congressional district.

Approved May 29, 1937.

Chap.413 AN ACT CHANGING THE TITLES OF CERTAIN OFFICERS OF THE DIVISION OF FISHERIES AND GAME AND GRADUALLY ABOLISHING THE OFFICES OF CERTAIN OF SUCH OFFICERS PAID BY MUNICIPALITIES.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 21, § 7, etc., amended.

Conservation officers, etc., appointment of.

SECTION 1. Chapter twenty-one of the General Laws is hereby amended by striking out section seven, as amended by section three of chapter three hundred and twenty-nine of the acts of nineteen hundred and thirty-three, and inserting in place thereof the following: — *Section 7.* Except as provided in section eight, the director may, subject to the approval of the commissioner, appoint and remove such

experts, conservation officers, coastal wardens, deputy coastal wardens, and clerical and other assistants as the work of the division may require, and their compensation shall be paid by the commonwealth. The director may also, subject to like approval, appoint deputy conservation officers and deputy coastal wardens, who shall serve without compensation.

Conservation officers and deputy conservation officers may be authorized by the director, subject to like approval, to exercise the powers and duties of coastal wardens and deputy coastal wardens, and coastal wardens and deputy coastal wardens may be so authorized, subject to like approval, to exercise the powers and duties of conservation officers and deputy conservation officers.

SECTION 2. Section one of chapter one hundred and twenty-nine A of the General Laws, as appearing in section one of said chapter three hundred and twenty-nine, is hereby amended by striking out the definition of "Warden" and inserting in place thereof the following:—

G. L. (Ter. Ed.), 129A, § 1, etc., amended.

"Warden", in this chapter, any person appointed under section seven of chapter twenty-one; in chapter one hundred and thirty, any coastal warden or deputy coastal warden so appointed, and any conservation officer or deputy conservation officer so appointed, and authorized by the director to exercise the powers of a coastal warden or deputy coastal warden; and in chapter one hundred and thirty-one, any conservation officer or deputy conservation officer so appointed, and any coastal warden or deputy coastal warden so appointed, and authorized by the director to exercise the powers and duties of a conservation officer or deputy conservation officer.

"Warden" defined.

SECTION 3. In cities and towns in which there is a fish and game warden or a deputy coastal warden paid by the city or town under the law as it existed immediately prior to the effective date of this act, the incumbent of said office may be reappointed by the director, subject to the approval of the commissioner, upon recommendation of the city council or selectmen made not later than March first of each year, and may continue to be paid by the city or town compensation not exceeding two hundred dollars per year; but no other person shall be appointed to said office at any time after the effective date of this act, and no appointment shall be made by the director in nineteen hundred and thirty-eight or thereafter in any city or town in which none was made during the year nineteen hundred and thirty-seven. All fish and game wardens and deputy coastal wardens so paid and holding office at said effective date, and all incumbents of either of said offices who thereafter are reappointed under this section, shall be deemed to be wardens as defined in section one of chapter one hundred and twenty-nine A of the General Laws.

Reappointment of present incumbents.

SECTION 4. Except as provided in this act, all laws in force on the effective date of this act with respect to fish and

Powers extended to conservation officers, etc.

game wardens and deputy fish and game wardens shall apply to conservation officers and deputy conservation officers, respectively.

Approved May 29, 1937.

Chap. 414 AN ACT RELATIVE TO THE EMPLOYMENT OF PERSONS TO SERVE IN A CONFIDENTIAL CAPACITY.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 30, § 7, amended.

Appointment and removal of confidential employees.

SECTION 1. Chapter thirty of the General Laws is hereby amended by striking out section seven, as appearing in the Tercentenary Edition, and inserting in place thereof the following:— *Section 7.* Each officer, board and commission having supervision and control of an executive or administrative department, including each commissioner of the commission on administration and finance and the officer in charge of the division of personnel and standardization of said commission, the alcoholic beverages control commission and the state racing commission, but not including the several boards serving in the division of registration of the department of civil service and registration, may appoint and remove a person to serve as a confidential secretary. Such appointment shall be in accordance with the provisions of sections forty-five to fifty, inclusive, of this chapter and shall be exempt from the provisions of chapter thirty-one.

G. L. (Ter. Ed.), 31, new section 5A, added.

Exemption from civil service.

SECTION 2. Chapter thirty-one of the General Laws is hereby amended by inserting after section five, as most recently amended by section three of chapter two hundred and forty-four of the acts of nineteen hundred and thirty-six, the following new section:— *Section 5A.* Each officer, board and commission appointed by the governor, with the advice and consent of the council, having supervision and control of an executive or administrative department, board or commission of a municipality, may appoint and remove a person to serve as his or its confidential secretary. Such employee shall receive such compensation as shall be fixed by said officer, board or commission, as the case may be, and shall be exempt from the provisions of this chapter.

Approved May 29, 1937.

Chap. 415 AN ACT RELATIVE TO THE ELIMINATION AND SUPPRESSION OF INSECT PESTS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 128, § 2, etc., amended.

SECTION 1. Section two of chapter one hundred and twenty-eight of the General Laws, as most recently amended by section one of chapter two hundred and ninety-one of the acts of nineteen hundred and thirty-three, is hereby further amended by inserting after the word "vegetables" in the twenty-fourth line, as appearing in the Tercentenary Edition, the words: — , and offer prizes for, and in aid of, the elimination and suppression of insect pests, — so that paragraph (f) will read as follows:—

(f) Offer prizes for and conduct exhibits of flowers, fruit, vegetables, grasses, grains or other farm crops, dairy products, honey, horses, cattle, sheep, swine, poultry, poultry products, rabbits, hares, farm operations, and canned and dried fruits and vegetables, and offer prizes for, and in aid of, the elimination and suppression of insect pests.

Prizes for exhibits.

SECTION 2. Section one of chapter one hundred and thirty-two of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "moths" in the third line the words:— and tent caterpillars,— so as to read as follows:— *Section 1.* The state forester, in this chapter called the forester, shall act for the commonwealth in suppressing the gypsy and brown tail moths and tent caterpillars; shall promote the perpetuation, extension and proper management of the public and private forest lands of the commonwealth; shall give such a course of instruction to the students of the Massachusetts state college on the art and science of forestry as may be arranged by the trustees of the college and the forester; and shall perform such other duties as may be imposed upon him by the governor and council.

G. L. (Ter. Ed.), 132, § 1, amended.

Duties of state forester.

SECTION 3. Said chapter one hundred and thirty-two is hereby further amended by striking out section eleven, as so appearing, and inserting in place thereof the following:— *Section 11.* The forester may, subject to the approval of the governor, make rules and regulations governing all operations by towns or persons for the purpose of suppressing the gypsy and brown tail moths, their pupæ, nests, eggs and caterpillars, which are hereby declared public nuisances. He may make contracts on behalf of the commonwealth; may act in co-operation with any person, any other state, the United States, or any foreign government; may conduct investigations and gather and distribute information concerning said moths and tent caterpillars; may use and require the use of all other lawful means of suppressing said moths and tent caterpillars; may lease real estate when he deems it necessary, and, with the approval of the authority in charge, may use any real or personal property of the commonwealth; may at all times enter upon any land, and may use all reasonable means in suppressing said moths and tent caterpillars; and, in the undertakings aforesaid, may, in accordance with this chapter, expend the funds appropriated or donated therefor; but no expenditure shall be made or liability incurred in excess of such appropriations and donations. No owner or occupant of an estate infested by the aforesaid nuisances shall by reason thereof be civilly or criminally liable except to the extent and in the manner and form set forth in this chapter.

G. L. (Ter. Ed.), 132, § 11, amended.

Regulations for suppression of insect pests.

SECTION 4. Section twelve of said chapter one hundred and thirty-two, as so appearing, is hereby amended by inserting after the word "moths" in the fourth line the words:— tent caterpillars,— so as to read as follows:— *Section 12.* Whoever wilfully resists or obstructs the forester or any

G. L. (Ter. Ed.), 132, § 12, amended.

Penalty for interfering with moth work.

officer of a town, or a servant or agent duly employed by said forester or by any of said officers while engaged in suppressing the gypsy and brown tail moths, tent caterpillars, elm leaf beetle, or any other tree or shrub destroying pest, or knowingly fails to comply with any of the rules or regulations issued by the forester, shall be punished by a fine of not more than twenty-five dollars.

G. L. (Ter.
Ed.), 132,
§ 13, etc.,
amended.

Local moth,
etc., super-
intendents.

SECTION 5. Section thirteen of said chapter one hundred and thirty-two, as amended by chapter eighty-seven of the acts of nineteen hundred and thirty-five, is hereby further amended by inserting after the word "moths" in the fourth line and in the ninth line, in each instance, the words: — and tent caterpillars, — so as to read as follows: — *Section 13.* The mayor in cities and the selectmen in towns shall annually appoint a local superintendent for the suppression of gypsy and brown tail moths and tent caterpillars. In cities such appointment shall be made in January, and, in towns, within ten days after the organization of the board of selectmen. Said superintendents shall, under the advice and general direction of the forester, destroy the eggs, caterpillars, pupæ and nests of the gypsy and brown tail moths and tent caterpillars within their respective jurisdictions, except in parks and other property under the control of the commonwealth, and except in private property, save as otherwise provided herein. The appointment of a local superintendent shall not take effect unless approved by the forester; and when so approved notice of the appointment shall be given by the mayor or the selectmen to the person so appointed.

G. L. (Ter.
Ed.), 132,
§ 14, amended.

Reimburse-
ment of cities
and towns.

SECTION 6. Said chapter one hundred and thirty-two is hereby further amended by striking out section fourteen, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 14.* When any city or town in which one twenty-fifth of one per cent of the valuation is more than five thousand dollars shall have expended within its limits city or town funds to an amount in excess of five thousand dollars in any one year ending November thirtieth in suppressing gypsy or brown tail moths and tent caterpillars, the commonwealth shall reimburse such city or town to the extent of fifty per cent of such excess above said five thousand dollars.

Cities or towns in which one twenty-fifth of one per cent of the valuation is less than five thousand dollars, and in which such valuation is greater than six million dollars, shall be reimbursed by the commonwealth to the extent of eighty per cent of the amount expended by such cities or towns of city or town funds in suppressing said moths and tent caterpillars in any one such year, in excess of said twenty-fifth of one per cent.

In towns in which the valuation is less than six million dollars, after they have expended in any one such year town funds to an amount equal to one twenty-fifth of one per cent of their valuation, the commonwealth shall expend within

the limits thereof for the suppression of said moths and tent caterpillars such an amount in addition as the forester, with the advice and consent of the governor, shall determine. The commonwealth shall reimburse cities and towns every sixty days.

No city or town shall be entitled to any reimbursement from the commonwealth until it has submitted to the comptroller itemized accounts and vouchers showing the definite amount expended by it for the purpose of suppressing said moths and tent caterpillars, nor shall any money be paid out of the state treasury to cities or towns until said vouchers and accounts have been approved by the forester and the comptroller, nor unless said expenditure shall have been duly authorized and approved by the forester.

For the purposes of this section and section sixteen, the valuation of a city or town shall mean the valuation of such city or town, as determined by the last preceding valuation made for the purpose of apportioning the state tax. Nothing in this section shall be construed to entitle a city or town to reimbursement for the suppression of tent caterpillars until a specific appropriation therefor has been made by the general court.

SECTION 6A. Section seventeen of said chapter one hundred and thirty-two, as so appearing, is hereby amended by inserting after the word "moths", in the seventh, ninth, twenty-third and twenty-fifth lines, and after the word "moth", in the nineteenth line, in each instance, the words: — and tent caterpillars, — so as to read as follows: — *Section 17.* Any city or town failing to comply with the directions of the forester in the performance of said work within the date specified by him shall pay a fine of one hundred dollars a day for failure so to do, said fine to be collected by information brought by the attorney general in the supreme judicial court for Suffolk county.

G. L. (Ter.
Ed.), 132,
§ 17, amended.

Local ex-
penditures.

In case of emergency, or where there is great or immediate danger of the increase or spread of moths and tent caterpillars due to the neglect of any city or town to comply with the provisions of this chapter relating to the suppression of gypsy and brown tail moths and tent caterpillars, the forester, with the consent of the governor, may initiate or continue the work of suppression within such city or town for such a period as he may deem necessary. The cost of such work, including that done on private estates, less any sum due from the commonwealth by way of reimbursements on account of said work, shall be certified by the forester to the state treasurer, and be collected by him as an additional state tax upon the city or town so failing to comply with the requirements of the law. The forester may also in case of emergency, subject to the approval of the governor, carry on wholly or in part such operations as may be necessary to check the spreading of the gypsy or brown tail moth and tent caterpillars in parks not under the control of the commonwealth, and in cemeteries, woodlands and other places of public resort. The

amount to be so expended in any one year shall not exceed ten per cent of the appropriations made for the year by the commonwealth for the purpose of suppressing said moths and tent caterpillars. The forester may also take complete control of the work of suppressing the gypsy and brown tail moths and tent caterpillars in such cities and towns as may through the proper officials request it. The cost of such work shall be certified by the forester to the state treasurer, and shall be collected by him as an additional state tax upon the city or town wherein such work is performed; provided, that no city or town shall be required to pay more for such work than would have been its liability as defined by section sixteen.

G. L. (Ter.
Ed.), 132,
§ 18, amended.

Notice to
land owners.

SECTION 6B. Section eighteen of said chapter one hundred and thirty-two, as so appearing, is hereby amended by inserting after the word "moths", in the fifth and in the seventh lines, in each instance, the words: — and tent caterpillars, — and by inserting after the word "nests", in the fourteenth, seventeenth and twenty-second lines, in each instance, the words: — and tent caterpillars, — so as to read as follows: — *Section 18.* The mayor of every city and the selectmen of every town shall, on or before November first in each year, and at such other times as he or they shall see fit or as the forester may order, cause a notice to be sent to the owner, so far as can be ascertained, of every parcel of land therein which is infested with said moths and tent caterpillars; or, if such notification appears to be impracticable, by posting such notice on said parcels of land, requiring that the eggs, caterpillars, pupæ and nests of said moths and tent caterpillars shall be destroyed within a time specified therein. The publication of the notice in newspapers published or circulated in the city or town at least three times during the month of October shall be deemed a compliance with the law, if in the opinion of the mayor or selectmen such publication will be a sufficient notice.

Assessment of
cost of work.

When, in the opinion of the mayor or selectmen, the cost of destroying such eggs, caterpillars, pupæ or nests and tent caterpillars on land contiguous and held under one ownership in a city or town shall exceed one half of one per cent of the assessed value thereof, a part of said premises on which said eggs, caterpillars, pupæ or nests and tent caterpillars shall be destroyed may be designated in such notice, and such requirement shall not apply to the remainder of said premises. The mayor or selectmen may designate the manner in which such work shall be done, but all work done under this section shall be subject to the approval of the forester.

If the owner shall fail to destroy such eggs, caterpillars, pupæ or nests and tent caterpillars as required by said notice, the city or town, acting by the local superintendent appointed under section thirteen, shall, subject to the approval of the said forester, destroy the same, and the amount actually expended thereon, not exceeding one half of one per cent of the assessed valuation of said lands, as heretofore specified in this section, shall be assessed upon the said

lands; and such an amount in addition as shall be required shall be apportioned between the city or town and the commonwealth in accordance with section fourteen. The amounts to be assessed upon private estates as herein provided shall be assessed and collected, and shall be a lien on said estates, in the same manner and with the same effect as in the case of assessments for street watering.

SECTION 7. Section twenty-two of said chapter one hundred and thirty-two, as so appearing, is hereby amended by inserting after the word "moths" in the second line the words: — or tent caterpillars, — so as to read as follows: — *Section 22.* A person aggrieved by the taxes assessed upon him for the suppression of gypsy and brown tail moths or tent caterpillars, pursuant to section eighteen or nineteen, may, within six months after the date of the first tax bill issued on account of the taxes complained of, apply to the assessors for the abatement thereof, who may make such abatement as they deem reasonable.

G. L. (Ter. Ed.), 132, § 22, amended.

Application for abatement.

SECTION 8. Said chapter one hundred and thirty-two is hereby further amended by striking out section twenty-five, as so appearing, and inserting in place thereof the following: — *Section 25.* The city forester, superintendent or other person having charge of the suppression of gypsy and brown tail moths and tent caterpillars in each city and town in the commonwealth, or, where there is no such person, the tree warden may destroy within the limits of his city or town the leopard moth and elm beetle or any other tree or shrub destroying pest, if authorized so to do by the mayor and city council or by the selectmen in towns.

G. L. (Ter. Ed.), 132, § 25, amended.

Destruction of insect pests on private property.

SECTION 9. Section twenty-six of said chapter one hundred and thirty-two, as so appearing, is hereby amended by inserting after the word "moths" in the seventh line and in the ninth line, in each instance, the words: — and tent caterpillars, — so as to read as follows: — *Section 26.* The city forester or other officer designated in the preceding section may enter upon private land, and the owners of private land may be taxed for work done under said section as provided by sections eighteen and nineteen; provided, however, that nothing contained in this section shall require the commonwealth to pay any part of any such expense other than for the suppression of the gypsy and brown tail moths and tent caterpillars, that no land shall be assessed hereunder which has been assessed the maximum amount provided by said sections eighteen and nineteen for the suppression of the gypsy and brown tail moths and tent caterpillars, and that the aggregate assessment on any parcel of private land for the suppression of the tent caterpillar, leopard moth, elm beetle and gypsy and brown tail moths shall not exceed the maximum provided by said sections.

G. L. (Ter. Ed.), 132, § 26, amended.

Entry on land.

SECTION 10. Section twenty-seven of said chapter one hundred and thirty-two, as so appearing, is hereby amended by inserting after the word "moths" in the first line and in the fifth line, in each instance, the words: — and tent cater-

G. L. (Ter. Ed.), 132, § 27, amended.

Arsenate of lead furnished at cost.

pillars, — so as to read as follows: — *Section 27.* To assist in exterminating gypsy and brown tail moths and tent caterpillars, the local moth superintendent in any city or town may furnish, at cost, to any owner of real estate situated within such city or town arsenate of lead. It shall be used only for the suppression of gypsy and brown tail moths and tent caterpillars and only upon land of the purchaser.

G. L. (Ter. Ed.), 132, § 28, amended.

Collection of amount charged.

SECTION 11. Section twenty-eight of said chapter one hundred and thirty-two, as so appearing, is hereby amended by inserting after the word "moths", in the seventh line, the words: — and tent caterpillars, — so as to read as follows: — *Section 28.* The amounts due for material furnished under the preceding section shall be charged by the local moth superintendent to the owners of private estates, and shall be collected in the same way as amounts assessed for private work, and shall be a lien on said estates in the same manner as said assessments. The amount thus charged shall be deducted from the total amount expended in each city or town in the suppression of the gypsy and brown tail moths and tent caterpillars as provided in section fifteen.

Approved May 29, 1937.

Chap. 416 AN ACT PROVIDING FOR A RESERVE POLICE FORCE FOR THE METROPOLITAN DISTRICT COMMISSION.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, it is therefore declared to be an emergency law, necessary for the preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 92, new section 62A, added.

Reserve metropolitan police.

SECTION 1. Chapter ninety-two of the General Laws is hereby amended by inserting after section sixty-two, as appearing in the Tercentenary Edition, the following new section: — *Section 62A.* There is hereby established a reserve police force of the commission consisting of such number of members, not less than fifty, as the commission may determine. All members of said reserve force shall be residents within the metropolitan parks district. The officer in charge of the regular police force of the commission may assign the members of the reserve police force to duty whenever and for such length of time as he may deem necessary; and when on duty the members of said reserve force shall have all the powers and duties of members of the regular police force. Appointments to said reserve force shall be made from the eligible lists established therefor in accordance with the civil service rules; provided, that no person shall be appointed to said reserve force unless he shall have been a resident within the metropolitan parks district for not less than six months immediately prior to such appointment.

G. L. (Ter. Ed.), 92, § 63, repealed.

SECTION 2. Section sixty-three of said chapter ninety-two, as so appearing, is hereby repealed.

SECTION 3. Chapter thirty-one of the General Laws is hereby amended by inserting after section twenty A, as so appearing, the following new section: — *Section 20B.* Appointments to the regular police force of the metropolitan district commission shall be made by the appointing authority upon certification by the commissioner from the list of members of the reserve police force of said commission in accordance with the rules of the board, except that the basis of certification shall be the order of appointment to such reserve force.

G. L. (Ter. Ed.), 31, new section 20B, added. Appointments to regular force.

SECTION 4. Chapter thirty-two of the General Laws is hereby amended by striking out section seventy, as most recently amended by section five of chapter one hundred and two of the acts of the current year, and inserting in place thereof the following: — *Section 70.* The commission may, at the request of any reserve police officer, if in its judgment he is disabled for useful service as such reserve police officer, retire him from active service and place him upon the pension roll; provided, that a physician selected by the commission certifies in writing that such officer is permanently disabled, either mentally or physically, and that by reason of injuries sustained through no fault of his in the actual performance of his duty as a reserve police officer he is unable further to perform his duty as such officer; and every member so retired shall annually receive a pension equivalent to one half of what his annual compensation for continuous service throughout the year would have been at the rate of pay he received from said commission at the time he received the injury.

G. L. (Ter. Ed.), 32, § 70, etc., amended.

Pensions for reserve officers.

No reserve police officer whose employment begins after June thirtieth, nineteen hundred and thirty-seven, shall be subject to the provisions of this section.

SECTION 5. All call officers appointed and employed by the metropolitan district commission under section sixty-three of chapter ninety-two of the General Laws within two years prior to the effective date of this act who shall have served as such officers at least five months in the aggregate shall on said effective date become members of the reserve police force of the said commission without any further action on the part of any officer or board; and persons so becoming members of said reserve force shall be entitled to be appointed to the regular police force of said commission under section twenty B of chapter thirty-one of the General Laws before any other members of said reserve force are so appointed.

Temporary provisions.

Approved May 29, 1937.

AN ACT PROVIDING FOR AN ANNUITY FOR WILLIAM H. PRATT OF MARSHFIELD, A FORMER MEMBER OF THE STATE POLICE.

Chap. 417

Be it enacted, etc., as follows:

Subject to appropriation, there shall be paid out of the state treasury to William H. Pratt of Marshfield, formerly

a member of the state police, who was injured in the performance of his duties as a member of the state police on June twenty-sixth, nineteen hundred and twenty-seven, an annuity of seven hundred and fifty dollars, payable in equal monthly instalments, for a period of five years. No payment shall be made hereunder until there has been filed with the state treasurer an agreement signed by said William H. Pratt that the amount, if any, to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of the amounts paid hereunder.

(This bill, returned by the governor to the Senate, the branch in which it originated, with his objections thereto, was passed by the Senate, May 28 (P.M.), 1937, and, in concurrence, by the House of Representatives, May 28, 1937, the objections of the governor notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".)

Chap.418 AN ACT FURTHER PROVIDING FOR PERMITS FOR THE TRANSPORTATION AND DELIVERING OF ALCOHOLIC BEVERAGES OR ALCOHOL IN TRUCKS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 138, § 22,
etc., amended.

Section twenty-two of chapter one hundred and thirty-eight of the General Laws, as most recently amended by section twenty-two of chapter four hundred and forty of the acts of nineteen hundred and thirty-five, is hereby further amended by striking out the fourth and fifth paragraphs and inserting in place thereof the following paragraph:—

Transporta-
tion permits.

Any individual, partnership or corporation regularly and lawfully conducting a general express or trucking business or regularly and lawfully engaged in the business of leasing trucks for hire, with or without drivers, may, if authorized by a permit issued by the commission, transport and deliver alcoholic beverages or alcohol. The fee for such a permit shall be five dollars. No holder of such a permit shall be granted a permit under section nineteen A.

Approved May 29, 1937.

Chap.419 AN ACT RELATIVE TO THE IMPROVEMENT OF THE TOWN RIVER IN QUINCY.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. There shall be allowed and paid out of the treasury of the commonwealth, subject to appropriation, for

the improvement of Town river in the city of Quincy in accordance with a project of the federal government, sixty-eight thousand four hundred and sixty dollars; provided, however, that no part of this amount shall be expended until the congress of the United States shall have appropriated the sum of three hundred and nineteen thousand four hundred and eighty dollars for the improvement aforesaid, and the city of Quincy shall have appropriated and paid into the state treasury sixty-eight thousand four hundred and sixty dollars as a contribution toward said improvement and shall have agreed to provide, free of cost, suitable areas for the disposal of the dredged material. When congress shall have made the appropriation and the city of Quincy its contribution and agreement, the one hundred and thirty-six thousand nine hundred and twenty dollars hereby provided shall be placed to the credit of the secretary of war of the United States as a cash deposit, for the improvement of said river.

SECTION 2. For the purpose of meeting the payment required to be made as aforesaid, the city of Quincy may borrow from time to time within a period of five years from the passage of this act sums not exceeding, in the aggregate, sixty-eight thousand four hundred and sixty dollars, and may issue bonds or notes therefor, which shall bear on their face the words, City of Quincy Town River Improvement Loan, Act of 1937. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than five years from their dates. Indebtedness incurred by said city under this act may be in excess of the statutory limit and shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

Approved May 29, 1937.

AN ACT AMENDING THE LAW RELATING TO THE TAXATION OF
TRANSFERS OF CERTAIN ESTATES.

Chap. 420

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter sixty-five A of the General Laws, as most recently amended by section one of chapter three hundred and sixteen of the acts of nineteen hundred and thirty-three, is hereby further amended by inserting after the first paragraph the following new paragraph:—
A tax is hereby imposed upon the transfer of the estate of every person who at the time of death was a resident of this commonwealth and whose estate is subject to an estate tax imposed under any act of congress subsequent to the federal revenue act of nineteen hundred and twenty-six, the amount of which shall be the amount by which the federal credit under such federal revenue act shall exceed the aggregate amount of all estate, inheritance, legacy and succession taxes actually paid to the several states of the United States in respect to any property owned by such decedent or subject to such

G. L. (Ter. Ed.), 65A, § 1, etc., amended.

Tax upon transfer of estate.

taxes as a part of or in connection with his estate., — so as to read as follows: — *Section 1.* A tax is hereby imposed upon the transfer of the estate of every person dying after February twenty-sixth, nineteen hundred and twenty-six, who at the time of death was a resident of this commonwealth, the amount of which shall be the amount by which eighty per cent of the estate tax payable to the United States under the provisions of the federal revenue act of nineteen hundred and twenty-six shall exceed the aggregate amount of all estate, inheritance, legacy and succession taxes actually paid to the several states of the United States in respect to any property owned by such decedent or subject to such taxes as a part of or in connection with his estate.

A tax is hereby imposed upon the transfer of the estate of every person who at the time of death was a resident of this commonwealth and whose estate is subject to an estate tax imposed under any act of congress subsequent to the federal revenue act of nineteen hundred and twenty-six, the amount of which shall be the amount by which the federal credit under such federal revenue act shall exceed the aggregate amount of all estate, inheritance, legacy and succession taxes actually paid to the several states of the United States in respect to any property owned by such decedent or subject to such taxes as a part of or in connection with his estate.

A tax is hereby imposed upon the transfer of real property or tangible personal property in the commonwealth of every person who at the time of death was a resident of the United States but not a resident of the commonwealth, and upon the transfer of all property, both real and personal, within the commonwealth of every person who at the time of death was not a resident of the United States, the amount of which shall be a sum equal to such proportion of the amount by which the credit allowable under the applicable federal revenue act for estate, inheritance, legacy and succession taxes actually paid to the several states exceeds the amount actually so paid for such taxes, exclusive of estate taxes based upon the difference between such credit and other estate taxes and inheritance, legacy and succession taxes, as the value of the property in the commonwealth bears to the value of the entire estate, subject to estate tax under the applicable federal revenue act.

G. L. (Ter.
Ed.), 65A, § 6,
amended.

SECTION 2. Section six of said chapter sixty-five A, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "act" in the second line the words: — or any subsequent federal revenue act, — so as to read as follows: — *Section 6.* If the amount of tax imposed by Title III of said revenue act or any subsequent federal revenue act shall be increased or decreased as affecting an estate taxable hereunder subsequent to the payment of the tax on account of such estate imposed by section one of this chapter the tax imposed upon such estate hereunder shall be changed accordingly. Any additional tax shall be assessed by the commissioner and paid within thirty days after the

Federal
revenue act,
change in.

date of the notice from the commissioner of the amount thereof. Any excess tax received by the commonwealth shall be refunded within thirty days after the amount shall have been certified by the commissioner with interest at six per cent from the date of payment, without appropriation.

SECTION 3. Section seven of said chapter sixty-five A, as so appearing, is hereby repealed.

G. L. (Ter. Ed.), 65A, § 7, repealed.

SECTION 4. Sections one and two of this act shall apply only to estates of persons dying on and after June first, nineteen hundred and thirty-seven.

Application of act.

Approved May 29, 1937.

AN ACT RELATIVE TO UNEMPLOYMENT COMPENSATION.

Chap. 421

Whereas, The deferred operation of this act would tend to defeat its purpose, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency preamble.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by striking out chapter one hundred and fifty-one A, as amended, and inserting in place thereof the following: —

G. L. (Ter. Ed.), 151A, etc., amended.

CHAPTER 151A.

UNEMPLOYMENT COMPENSATION.

Definitions.

Section 1. The following words and phrases as used in this chapter shall have the following meanings, unless the context clearly requires otherwise: —

Definitions.

(a) "Benefit", the money allowance payable to an individual as compensation for his wage losses due to unemployment, as provided in this chapter.

(b) "Commission", the unemployment compensation commission established under section nine I of chapter twenty-three.

(c) "Contributions", the money payments to the unemployment compensation fund required by this chapter.

(d) "Employee", any individual employed in any quarter by any employer subject to this chapter and in employment subject thereto.

(e) "Employer", any employer subject to this chapter.

(f) "Employment", service, including service in interstate commerce, all of which is customarily performed within the commonwealth, under any contract, oral or written, express or implied, by an employee for his employer.

In the case of individuals performing service partly in the commonwealth and partly elsewhere, the term "employment" shall include the employment of such individuals to the extent prescribed by general rules or regulations adopted by the commission; provided, that such rules or regulations shall include within the term "employment" service which

may reasonably be allocated to the commonwealth and with respect to which contributions are not required and paid under an unemployment compensation law of any other state.

The term "employment", unless the context otherwise requires, shall not apply to —

- (1) Service in agricultural labor;
- (2) Domestic service in a private home;
- (3) Service performed as an officer or member of the crew of a vessel on the navigable waters of the United States;
- (4) Service performed by an individual in the employ of his son, daughter or spouse, and service performed by a child under the age of twenty-one in the employ of his father and mother, or either;

(5) Service performed in the employ of the United States or of an instrumentality of the United States; provided that this exception shall not apply to service performed in the employ of any instrumentality of the United States if and so long as the congress permits the exaction of payments to an unemployment fund under a state law from such instrumentality and from individuals in its employ; and, provided, further, that if this commonwealth should not be certified by the federal social security board under section nine hundred and three of the federal social security act for any year, then the payments required of such instrumentalities and of individuals in their employ with respect to such year shall be deemed to have been erroneously collected within the meaning of section eight of this chapter.

(6) Service performed in the employ of any state, any political subdivision thereof, or any instrumentality of one or more states or political subdivisions;

(7) Service performed in the employ of a corporation, or of a community chest, community fund or community foundation, so-called, organized and operated exclusively for a religious, charitable, scientific, literary or educational purpose, or for the purpose of the prevention of cruelty to children or animals, or for any combination of such purposes, no part of the net earnings of which enures to the benefit of any private shareholder or individual;

(g) "Employment office", the free public employment office operated by the commonwealth in the employment district in which the employee resides or is employed, or the branch or local office nearest to his place of residence or employment, unless otherwise prescribed by the commission.

(h) "Fund", the unemployment compensation fund established by this chapter.

(i) "Pay roll", the total amount of all wages for employment subject to this chapter.

(j) "Quarter", any one of the following periods of the year nineteen hundred and thirty-seven or any subsequent year: January first to March thirty-first, inclusive; April first to June thirtieth, inclusive; July first to September

thirtieth, inclusive; October first to December thirty-first, inclusive.

(k) "Quarterly wage", the amount of wages of an employee in a quarter from one or more employers in any employment, allocated to said quarter in such manner as the commission shall prescribe; provided, that, if wages in any one quarter are in excess of six hundred and twenty-five dollars, such excess shall be allocated in such manner as the commission shall prescribe to those quarters of the same year, if any, in which wages are less than six hundred and twenty-five dollars per quarter.

(l) "Unemployment", an individual shall be deemed in unemployment in any week in which he performs no wage-earning service whatever, and in which he earns no wages or other pay for personal services, including net earnings from self-employment, and in which, though capable of and available for work, he is unable to obtain any suitable work and cannot reasonably return to any self-employment in which he is customarily engaged. As used in this subsection, the term "wages" shall include only that part of remuneration for odd jobs or subsidiary work, or both, which is in excess of three dollars in any one week, and the term "services" shall not include that part of odd jobs or subsidiary work, or both, for which remuneration not in excess of three dollars in any one week is payable.

(m) "Unemployment compensation administration account", the account set up for the purpose of meeting the expenses of administration under this chapter.

(n) "Wages", every form of remuneration of an employee subject to this chapter for employment by an employer, whether paid or payable directly or indirectly, including salaries, commissions and bonuses, and reasonable value of board, rent, housing, lodging, payments in kind and similar advantages.

(o) "Week", seven consecutive days beginning on Sunday.

Section 1A. The following employers shall be subject to the provisions of this chapter: Any individual, partnership, firm, association, trustee, corporation, whether domestic or foreign, or his or its legal representative, trustee in bankruptcy or receiver, or the legal representative of a deceased person, who or which, or whose agent,

Employers
subject to
chapter.

(1) Has employed in employment subject to this chapter on some day in each of twenty weeks in the year nineteen hundred and thirty-seven or in any subsequent year at least eight individuals. Such employment shall constitute such an employer an employer hereunder as of January first of the year in which such employment occurs. Such employment of four, five, six or seven individuals in the year nineteen hundred and thirty-eight shall constitute such employer an employer hereunder as of January first in the year nineteen hundred and thirty-nine. Such employment of four, five, six or seven individuals in the year nineteen hundred

and thirty-nine and in any subsequent year shall constitute such employer an employer as of the first day of the quarter following the twentieth week of such employment; or

(2) Is subject to Title IX of the federal social security act, so-called, and who employs one or more individuals within the commonwealth in employment subject to this chapter; or

(3) Has elected to become fully subject to this chapter as hereinafter provided and for so long as such election remains in force; or

(4) Has acquired the organization, trade or business, or substantially all the assets thereof, of another employer who at the time of such acquisition was an employer subject to this chapter; or

(5) Has acquired a part of the organization, trade or business of another employer, which part, if a separate organization, trade or business, would have constituted the employer thereof an employer under this chapter.

Employees,
defined.

Section 1B. All individuals employed by an employer in all of his several places of employment maintained within the commonwealth shall be treated as employed by a single employer for the purposes of this chapter.

No employer subject to this chapter shall cease to be subject hereto except upon a written application therefor by him, which application may be filed with the commission prior to March thirty-first in any year, and after a finding by the commission that he has not on any day within the then last year employed four or more individuals in employment subject to this chapter, whereupon such employer shall cease to be subject hereto as of January first of the year in which such finding is made. Any employer of one or more individuals in employment within the commonwealth, who is not otherwise subject to this chapter, shall become fully subject hereto upon filing with the commission his election to become fully subject hereto for not less than two years and upon the written approval of such election by the commission.

Contributions.

Contributions.

Section 2. On and after January first, nineteen hundred and thirty-seven, contributions shall become due and payable by each employer who was subject to this chapter on said date. Contributions by any employer who was not subject to this chapter on said date shall become due and payable on and after the date on which he became or becomes subject hereto. The contributions required hereunder shall be paid to the commonwealth in such manner and at such times as the commission may prescribe, and shall be paid over by the commission to the state treasurer and credited by him to the fund.

Employers'
contributions.

Section 3. Each employer shall make contributions in his own behalf for the year nineteen hundred and thirty-seven at the rate of one and eight tenths per cent of so much

of his pay roll as is subject to this chapter. Each employer shall make contributions in his own behalf for each year thereafter at the rate of two and seven tenths per cent of such portion of such pay roll.

Section 4. Each employee shall contribute to the fund one per cent of that part of his wages not in excess of twelve hundred and fifty dollars earned between July first and December thirty-first, nineteen hundred and thirty-seven, and not in excess of six hundred and twenty-five dollars multiplied by the number of complete quarters remaining in the year after his employer has become an employer subject to this chapter; and during each year thereafter he shall contribute one per cent of that part of his wages not in excess of twenty-five hundred dollars.

Employees' contributions.

Each employer shall withhold such contributions from the wages of his employees at the time such wages are paid, shall show such deduction on his pay roll records, and shall transmit all such contributions to the fund, as the commission shall prescribe. If any employer fails to deduct the contributions of any employee at the time his wages are paid or fails to make a deduction therefor at the time the employee's wages are paid for the next succeeding pay roll period, the employer alone shall thereafter be liable for such contribution.

Contributions by employees withheld by employers under authority of this chapter shall be exempt from trustee process or other remedy for the collection of debts.

In the event that contributions from the wages of an individual are withheld by an employer who, before transmission of said contributions to the commission, is determined not to be an employer subject to this chapter, such contributions shall thereupon be returned to such individual by the employer.

Wages of three dollars or less in any one week shall not be subject to employee contributions hereunder.

Employee contributions in the possession of an employer shall constitute a special fund in trust for the commonwealth.

The percentages of employee and employer contributions established under this and the preceding section shall, after the year nineteen hundred and thirty-eight, bear the same ratio each to the other as they did in the year nineteen hundred and thirty-eight.

Section 5. If any employer fails to make or transmit when due any payment required of him under this chapter, such overdue payments shall carry interest at the rate of six per cent per annum from such due date until paid, or the commission may assess upon such employer in lieu of such interest a penalty of five dollars a day for one or more days, but not exceeding the number of days during which such employer is in default. The commission may collect such overdue payments, together with such interest or penalty assessed in lieu thereof, in an action of contract in the name of the commonwealth commenced within three years after

Interest on overdue payments.

the same is due and payable. For the collection of such payments, interest or penalty the commission shall have all the remedies provided by chapter sixty for the collection of taxes on personal estate by collectors of taxes of towns; provided, that any warrant for the collection of such payments, interest or penalty assessed under this chapter may be issued to any sheriff, deputy sheriff or constable, who shall thereupon have authority to proceed thereunder anywhere within the commonwealth. The officer to whom such a warrant is given shall collect such payments or penalty, together with interest thereon at the rate of six per cent per annum from the time when the same became due or was assessed, and may collect and receive as his fees the sum which an officer would be entitled by law to receive upon an execution for a like amount. Any sums collected shall be paid to the commission and by the commission to the state treasurer and credited by him to the fund after deducting and paying all interest on refunds as provided in section eight.

Overdue
payments
a lien.

Section 6. Such overdue payments to the fund, with interest thereon or penalty assessed in lieu thereof, shall, until collected, be a lien against the assets of the employer, subordinate, however, to claims for unpaid wages and prior recorded liens; provided, that no lien created by this section shall be valid against a subsequent purchaser or mortgagee in good faith and for value of land of such employer, or against a subsequent attaching creditor of land of such employer, unless and until there shall have been recorded in the registry of deeds for the county or district wherein the land lies a notice by the commission of such lien, which notice shall state the name of the employer, the address of his principal place of business within the commonwealth, and the total amount then unpaid of the aforesaid overdue payments to the fund and interest thereon or penalty assessed in lieu thereof. If the land affected is registered land, the pertinent provisions of chapter one hundred and eighty-five shall apply. Such lien may be enforced or dissolved in the manner provided in chapter two hundred and fifty-four for enforcing or dissolving liens on buildings and land.

Priority.

Section 7. Contribution payments, and interest thereon or penalty assessed in lieu thereof, shall have priority over all other claims against an employer, except tax and wage claims.

Adjust-
ments and
refunds.

Section 8. If within three years after any contribution has become due and payable, a person who has paid such contribution, interest thereon or penalty assessed in lieu thereof, shall make application for an adjustment or refund thereof, and if the commission shall determine that such contribution, interest or penalty, or any portion thereof, was erroneously collected, the commission shall allow such person to make an adjustment thereof, with interest, in connection with a subsequent payment, or shall authorize the refund of said amount, with interest, in which latter event such refund shall be made by the state treasurer, without appropriation, after certification by the commission.

Interest at the rate of six per cent per annum on such refund shall be payable only to the extent that interest and penalties collected under section five are available therefor.

If within three years after any contribution has become due and payable the commission shall determine that an employer has paid insufficient contributions, interest thereon or penalty assessed in lieu thereof, the commission shall require such employer to make an adjustment thereof, with interest, in connection with a subsequent payment, or an additional payment, with interest.

Interest under this section shall not be paid or exacted unless such interest amounts to one dollar or more.

An action to enforce any provision of this section shall be commenced within three years next after the cause of action accrues.

In the event that a contribution from any employee shall be received by the commission on wages in excess of twenty-five hundred dollars with respect to any year, such excess contribution shall be refunded to the employee.

Section 9. The commission shall maintain a separate account for each employer, crediting his account with all the contributions which he has paid on his own behalf during each year. Records.

The commission shall maintain suitable records for each employee on which may be recorded his quarterly wages and such other pertinent information as the commission may prescribe.

Section 10. Nothing in this chapter shall be construed to grant any employer or any of his employees prior claims or rights to the amount paid by such employer to the fund either on his own account or on behalf of his employees. All contributions to the fund shall be pooled and available to pay benefits to any employee entitled thereto under this chapter, irrespective of the source of such contributions. Claims on fund

Section 11. (a) The commission shall, for the year nineteen hundred and forty-one and for each year thereafter, classify employers in accordance with their contribution and benefit experience, with a view to recommending to the general court such contribution rates as will equitably reflect such experience. Classification of employers.

The commission shall report to the general court adequate data concerning the number of persons leaving the employment of each employer with the reasons therefor, the number of such persons drawing benefits and the total amount of such benefits paid, classified so as to show the effect of merit rates if based upon each of these types of experience.

(b) The commission shall investigate and report upon the approximate degree of unemployment hazard in the various industries, occupations and employments, and their cost to the fund. It shall recommend to employers in industries, occupations or employments showing an excessive cost to the fund measures for stabilizing employment therein. It shall also, if it deems it necessary, recommend to the general

court a higher rate of contribution for any classification of industries, occupations or employments in which unemployment is excessive or continuous.

Contributions
deductible
from taxable
income.

Section 12. Contributions made by employers to the fund in accordance with this chapter shall be considered ordinary and necessary expenses of the business of the employer, and deductible from gross income from professions, employments, trades or businesses returnable for taxation under chapter sixty-two, or from corporate income returnable for taxation under chapter sixty-three. Contributions made by employees shall be deductible from gross income from wages or salaries returnable for taxation under said chapter sixty-two.

Benefits.

Benefits,
how payable.

Section 13. After January first, nineteen hundred and thirty-eight, benefits shall become payable from the fund to any individual eligible for benefits under this chapter. Such benefits shall be paid, through the employment offices operated by the commonwealth or such other agencies of the commission as the Social Security Board or its successor may approve, at such times and in such manner as the commission shall prescribe.

Same
subject.

Section 14. Benefits shall be paid to an eligible individual for no more than his weeks of unemployment subsequent to a waiting period, the duration of which shall be determined as follows:—

(a) Whenever an individual who has been an employee becomes unemployed, he shall be eligible for benefits for unemployment subsequent to a waiting period of three consecutive weeks sustained within fifty-two weeks of the date of his most recent registration as unemployed and no benefits shall be or become payable during said waiting period; provided, that no further waiting period shall be required of any individual during the fifty consecutive weeks following any waiting period; and provided, further, that this requirement shall not interrupt the payment of benefits for consecutive weeks of unemployment. Any week of partial employment during which an employee receives wages less than his weekly benefit shall not be considered as interrupting the continuity of such three weeks, and shall be counted toward said waiting period as one half of one week.

(b) The waiting period shall commence on the Sunday nearest the day an unemployed individual registers at an employment office or other place of registration maintained or designated by the commission or has otherwise given notice of his unemployment in accordance with the rules and regulations of the commission.

(c) There shall not be counted towards the required waiting period of an individual any week prior to January first, nineteen hundred and thirty-eight, or any week in which he is ineligible for benefits under this chapter.

Section 15. An individual, in order to be eligible for benefits under this chapter, shall — Eligibility of beneficiaries.

(a) Except as otherwise provided in subsection (d) of section eighteen, have earned wages in each of two of the three completed quarters next but one preceding the date of his most recent registration as unemployed, such wages for the said three quarters totaling not less than one hundred and sixty dollars; or, in the alternative, have earned wages in each of four of the eight completed quarters next but one preceding the date of his most recent registration as unemployed, such wages for said eight quarters totaling not less than two hundred and forty dollars;

(b) Be capable of and available for employment and unable to obtain employment in his usual occupation or any other occupation for which he is reasonably fitted, including employments not subject to this chapter; and

(c) Have given notice of his unemployment, by registering either in a public employment office or in such other manner, and within such time or times, as the commission shall prescribe, and have given notice of the continuance of his unemployment and furnished information concerning wages and compensation received by him during such time for any employment, whether subject to this chapter or not, in accordance with the rules and regulations of the commission.

Section 16. (a) No individual shall be eligible for benefits for any week in which he fails without good cause to comply with the registration and filing requirements of the commission. The commission shall furnish copies of such requirements to each employer, who shall notify his employees of the terms thereof when they become unemployed. Any failure accurately to furnish information concerning amounts of wages and compensation received, as provided in subsection (c) of section fifteen, may, at the discretion of the commission, disqualify the individual furnishing such inaccurate information from receiving any benefits for not more than ten weeks from the time of furnishing such inaccurate information or of the discovery that such inaccurate information was so furnished. Payment of benefits limited.

(b) No benefits shall be paid to an individual under this chapter for any week with respect to which the commission finds that his total unemployment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment or other premises at which he was last employed; provided, that this subsection shall not apply if it is shown to the satisfaction of the commission that —

(1) He is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and that

(2) He does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs, any of whom are participating

in or financing or directly interested in the dispute; provided, that if, in any case, separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department may, for the purposes of this subsection, be deemed to be a separate factory, establishment or other premises.

(c) Any individual who has left his work voluntarily without reasonable cause or has been discharged for misconduct shall be ineligible for benefits for the next four consecutive weeks following the waiting period provided in section fourteen and the duration of benefits for unemployment to which the employee would otherwise have been entitled may thereupon be reduced for so many weeks, not exceeding four, as the commission shall determine from the circumstances of each case.

(d) If an otherwise eligible individual fails, without good cause, to apply for suitable employment whenever notified so to do by the employment office, or to accept suitable employment whenever offered him, he shall become ineligible for benefits for the week in which such failure occurred and for so many of the next four consecutive weeks following the waiting period provided in section fourteen as the commission shall determine from the circumstances in each case, and the duration of benefits for unemployment to which the employee would otherwise have been entitled may thereupon be reduced for so many weeks, not exceeding four, as the commission shall determine from the circumstances of each case.

"Suitable employment",
defined.

"Suitable employment", as used in the preceding paragraph, shall be determined by the commission, which shall take into consideration whether the employment is detrimental to the health, safety or morals of an employee, is one for which he is reasonably fitted by training and experience, including employment not subject to this chapter, is one which is located within reasonable distance of his residence or place of last employment, and is one which does not involve travel expenses substantially greater than that required in his former employment. No work shall be deemed suitable, and benefits shall not be denied under this chapter to any otherwise eligible individual for refusing to accept new work under any of the following conditions:— (1) if the position offered is vacant due directly to a strike, lockout or other labor dispute; (2) if the remuneration, hours or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality; (3) if acceptance of such work would require the individual to join a company union or would abridge or limit his right to join or retain membership in any bona fide labor organization or association of workmen.

(e) No benefits shall be payable under this chapter to an individual for any week with respect to which he has received or is receiving workmen's compensation or wages in

lieu of dismissal notice or old age benefits under Title II of the Federal Social Security Act; provided, that, if any such compensation or wages or old age benefits is or are less than the benefits which would otherwise be due him hereunder for unemployment for such week, he shall receive such unemployment benefits reduced by the amount, disregarding a fractional part of a dollar, of such compensation or wages or old age benefits.

Section 17. Except as provided in subsection (d) of section eighteen, an individual unemployed and otherwise eligible for benefits shall be paid benefits for each week of unemployment at the rate of one twenty-sixth of his highest quarterly wage during the eight quarters next but one preceding the quarter in which he most recently registered as unemployed. If the weekly benefit so calculated includes a fractional part of a dollar, the weekly benefit shall be raised to the next higher dollar. No fractional weekly benefit shall be paid. Notwithstanding the foregoing, no weekly benefit shall be less than five dollars or more than fifteen dollars.

Minimum
weekly
benefits.

Section 18. (a) The aggregate amount of benefits an individual may receive shall be limited by the amount of his quarterly wages against which benefits have not been charged as provided under subsection (b) of this section. Each eligible individual shall receive benefits not exceeding the sum of his "normal benefits", "extended benefits" and "additional benefits".

"Normal
benefits",
"extended
benefits" and
"additional
benefits",
defined.

Except as otherwise provided in subsection (d) of this section, "normal benefits" shall be (1) twelve and one half per cent of the total wages, not exceeding four hundred dollars in each quarter, earned during the eight quarters next but one preceding the quarter in which the individual most recently registered as unemployed or (2) sixteen times his weekly benefit, whichever amount is the lesser; provided, that, if the amount determined under (2) is the lesser amount, there shall be added thereto twenty-four per cent of the difference between the two amounts.

"Extended benefits" shall be three per cent of the total wages, not exceeding four hundred dollars in each quarter, earned during the sixteen quarters next preceding the eight quarters hereinbefore referred to.

"Additional benefits" shall be two per cent of the total wages, not exceeding four hundred dollars in each quarter, earned prior to the twenty-four quarters hereinbefore referred to.

(b) All portions of an individual's quarterly wages used as the basis for computing benefits actually paid to him shall be charged against his record of quarterly wages in chronological order as such wages were earned and in the same ratios as used in the computation of the aggregate amount of benefits pursuant to this section.

(c) No part of an individual's record of quarterly wages which has been charged off as provided in subsection (b) of this section shall thereafter be used as a basis for the com-

putation of his aggregate available benefits when subsequently unemployed.

(d) After benefit payments to an individual have started, and within the time during which no further waiting period is required by subsection (a) of section fourteen, no date of registration as unemployed occurring during such time shall be considered in the computation of benefits and there shall be no redetermination (1) of his weekly benefit rate, (2) of the aggregate number of benefits available to him, or (3) of his eligibility under subsection (a) of section fifteen, unless such aggregate number of benefits shall have been entirely paid within such time. In such case the aggregate number of benefits available to such individual shall be recomputed, substituting the date of payment of the final weekly benefit previously computed for the most recent date of registration as unemployed, and any additional benefits thus made available shall be paid without interruption at the same rate if the individual remains otherwise eligible for benefits.

Lump sum
benefit
payments.

Section 19. In lieu of paying to an eligible individual by weekly or other installments the benefits to which he would be entitled under this chapter in case he remained continuously unemployed and eligible, the commission, at his request or with his consent, may discharge the entire existing benefit liability of the fund to him by paying him a lump sum of not more than eighty per cent of the maximum amount of benefits to which he would otherwise be entitled; provided, that lump sum payments shall be thus made only in unusual cases, as when an individual has no prospect of securing further work within the commonwealth but may secure work elsewhere. The commission shall determine on what percentage basis, subject to the preceding sentence, and under what unusual conditions such lump sum payments shall be made, and each such case shall be subject to specific approval by the commission.

Commission
may modify
scale of
payments.

Section 20. If in any six months' period the amount paid in benefits from the fund has exceeded the income, or if, in the judgment of the commission, the reserves in the fund are in serious danger of depletion, the commission may declare an emergency and announce a modified scale of benefits, an increased waiting period, or other changes in the requirements regarding eligibility for receipt of benefits which it may deem necessary to maintain the reserves of the fund.

Seasonal
occupations.

Section 21. Wherever in any industry, employment or occupation, or branch thereof, because of its seasonal nature, it is customary to operate only during a regularly recurring period or periods of less than forty weeks in length, and whenever there are individuals employed in such industry, employment or occupation who are not ordinarily employed during the year in any other work, the commission may, for the purposes of this chapter, ascertain, and determine, or redetermine, after investigation, such seasonal period or

periods for each such seasonal industry, employment or occupation, or branch thereof. When the commission has determined such seasonal period or periods, it shall also fix the right to benefits and the conditions required for the payment of benefits to such individuals, and shall so modify the requirements for eligibility to benefits and the conditions required for payment thereof that such individuals will receive benefits in reasonable proportion to the length of time during which they have been employed in such industry, employment or occupation. For the purposes of this chapter, no industry, employment or occupation or branch thereof, shall be deemed seasonal until the commission shall have made such a determination.

Section 22. An individual who, owing to personal circumstances, is unable or unwilling to work the usual full time, and who normally works less than the full time prevailing in his place of employment and in the type of employment in which he is engaged, shall register as a part-time worker in such manner as the commission shall prescribe. The commission shall fix the conditions required to qualify for benefits in such cases and shall suitably modify the provisions of section fifteen, and shall also fix proportionately maximum and minimum benefits in place of the maximum and minimum amounts provided in section seventeen.

Part-time
workers.

Section 22A. Any employer desirous of employing additional employees for short time or emergency work only, for a period of not more than four weeks, without deduction of employee contributions and liability for benefits for such employees, may obtain express permission from the commission for such employment, which shall thereupon be deemed casual employment and exempted from the provision of this chapter. The commission shall make and publish rules governing the exemption of such casual employment and distinguishing it from part-time employment.

Casual
employment.

Section 23. No agreement by an individual to waive his right to benefit or any other right under this chapter, or to pay all or any portion of the contributions required hereunder from his employer, shall be valid. No employer shall make, or permit or require, any deduction from wages or salary of an employee to finance in whole or in part the contributions required of the employer, or require any waiver by an employee of any right hereunder. The commission may make rules, regulations and orders for the enforcement of this section, and shall cause all violations thereof and of this section to be prosecuted.

Waiver of
benefits
prohibited.

Section 24. Benefits which are or may become due under this chapter shall not be assigned, pledged, encumbered, released, commuted or trusted before payment; and when paid shall, as long as they are not mingled with other funds of the beneficiary, be exempt from all claims of creditors, and from levy, execution and attachment or other remedy now or hereafter provided for the recovery or collection of debt, which exemption may not be waived.

Benefits
not assign-
able, etc.

Fees
prohibited.

Section 25. No fee shall be charged in any proceeding under this chapter by the commission or any of its agents or representatives.

In any proceeding under this chapter a party may be represented by an agent or attorney. No fees for services rendered by such agent or attorney to an individual claiming benefits shall be allowable or payable unless the amount thereof shall have been previously approved by the commission. Whoever exacts or receives any remuneration or gratuity for any services rendered on behalf of a benefit claimant under this chapter, except as authorized by this section, or who solicits the business of appearing on behalf of such a benefit claimant, or who makes it a business to solicit employment for another in connection with the making of any claim for benefits under this chapter, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months, or both.

Claims and Appeals.

Benefit
claims.

Section 26. Benefit claims shall be filed at the employment office at which the claimant has registered as unemployed. Such claims shall be filed in such form, at such time and in such manner as the commission shall prescribe. Notice of the claim so filed shall be given to the most recent employer of the claimant. Failure to make a claim within the time limited by the commission shall not bar proceedings under this chapter if such failure, in the discretion of the commission, was occasioned by mistake or other reasonable cause, or if the employer or other interested parties were not prejudiced by the delay.

Presentation
of claims.

Section 27. The commission shall prescribe the manner in which claims shall be presented, the reports thereon required from the claimant and from employers, and the conduct of hearings and of appeals, other than court appeals. Such procedure shall be designed to ascertain the substantive rights of the parties involved, without regard to common law or statutory rules of evidence and other technical rules of procedure. A record shall be kept by the commission of all proceedings in connection with each disputed claim. All testimony at any formal hearing upon a disputed claim shall be recorded, but need not be transcribed unless the claim is further appealed.

Determination
of amount
of benefit
payable.

Section 28. An authorized representative of the commission shall promptly determine, in accordance with the procedure established by the commission, and after making such inquiries and investigation as the commission deems necessary, whether or not the claim is valid and the amount, if any, of the benefits payable thereunder, and shall promptly give notice of such decision, together with the reasons therefor, to the claimant, to his most recent employer and to such other persons as the commission may prescribe. In accordance with the procedure prescribed by the commission, bene-

fits shall be paid or denied unless, within five days after receipt, but in no case more than seven days after mailing, of such notification, reconsideration of such decision is requested in writing by an interested person affected thereby.

Section 29. If reconsideration is so requested, an authorized representative of the commission shall afford all interested persons an opportunity for an informal hearing, shall hold such a hearing, shall render a decision as promptly as possible, shall notify such persons of his decision and his reasons therefor and shall file with the commission a statement of his findings and all matters pertinent to the questions arising before him, all in accordance with the procedure prescribed by the commission.

Reconsideration and hearing.

Section 30. Any such person affected by such decision may, within five days after receipt, but in no case more than seven days after mailing, of such notification, file an application for a review by such examiner as the commission shall appoint for said purpose. All persons interested shall be afforded reasonable opportunity for a formal hearing before such examiner, who shall hold such a hearing. Within a reasonable time following such hearing the examiner shall file his decision, and thereupon all persons interested shall be notified of such decision, together with the reasons therefor. Such decision shall be final, except in cases where the commission acts on its own motion, or where the commission permits one or more persons interested to apply for review by the commission, or where, in the absence of such action or rule, a petition is filed in a district court under section thirty-two. No person shall hear or decide on behalf of the commission any case in which he is an interested person.

Application for review.

In case the commission does not act on its own motion, and no application for review, if permitted by the commission, is made within the time provided therefor by section thirty-one, and no petition is brought in the manner and within the time provided by section thirty-two, the decision of the examiner shall be final on all questions of fact and of law, and the commission shall thereupon authorize the payment of the benefits, if any, found payable.

Section 31. The commission may remove or transfer the proceedings on any claim pending before its representative or examiner and, on its own motion, or upon an application for review, if permitted by it, may, within ten days after the date of any decision by such representative or examiner, affirm, modify or revoke any such decision on the basis of the evidence previously submitted in such case, or upon the taking of additional testimony, or both. Any proceedings so removed to the commission shall be heard, in accordance with the requirements of section thirty, by the entire commission, or, in the absence or disqualification of either of the other members, by the chairman; provided, that no decision in any proceeding so removed to the commission shall become final until it shall have been passed upon by the entire commission.

Modification, etc., of decision.

Appeals.

Section 32. Any interested person aggrieved by any decision of fact or of law in any proceedings under this chapter may, after exhaustion of other appellate remedies provided in sections twenty-nine, thirty and thirty-one, bring a petition in the district court within the judicial district whereof he lives or is or was employed, addressed to the justice of the court, praying that such decision may be reviewed by the court, and, after such notice as the court deems necessary, it shall review such decision, hear any or all of the witnesses and determine whether or not upon the law and the evidence such decision was justified, and shall thereupon affirm, modify or revoke such decision. The commission shall thereupon enter an order in accordance with the decision of the court.

The supreme judicial court, upon a bill in equity brought by the commission against a claimant and all other interested persons, may determine any question of law arising upon any claim filed under section twenty-six, and shall also have general jurisdiction in equity, upon a bill brought by the commission, to enforce this chapter.

In any action to enforce any provision of this chapter, or in any criminal proceedings thereunder, the commission shall be represented by the attorney general, or by an attorney at law designated by the attorney general for such purpose.

Officials may
summon wit-
nesses, etc.

Section 33. In the discharge of the duties prescribed by this chapter any designated official, examiner, commissioner or other duly authorized representative of the commission shall have power to administer oaths, take depositions, certify to official acts, and require by summons the attendance of witnesses and the production of books, papers, documents and records, necessary or convenient for use in connection with any disputed claim. Witnesses so summoned shall be paid the same fees as witnesses in civil actions before the courts. Such fees shall be paid from the unemployment compensation administration account.

In case of refusal to obey a subpoena issued to any person under authority of this chapter, any court of the commonwealth, within the jurisdiction of which the inquiry is carried on or the person so refusing to obey is found or resides or transacts business, may, upon application by the commission or its duly authorized representative, issue to such person an order requiring him to appear before an examiner, a commissioner, the commission, or its duly authorized representative, as the case may be, to produce evidence if so ordered or to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

No person shall be excused from giving testimony, or from producing any book, record, document or other paper, pertinent to the matter in question, in any investigation or inquiry by, or upon any hearing before, an examiner or the commission, when ordered to do so by the examiner or the commission, respectively, upon the ground that the testi-

mony or the book, record, document or other paper required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no person shall be prosecuted, punished or subjected to any penalty or forfeiture for or on account of any act, transaction, matter or thing concerning which, after claiming his privilege, he shall by order have testified or produced documentary evidence, except for perjury committed in giving such testimony or forgery committed by him in such documentary evidence.

Records and Reports.

Section 34. Every employer, whether or not subject to this chapter, shall keep true and accurate records of all individuals employed by him and such other information as the commission deems necessary for the effective administration of this chapter. Such records shall be open to inspection by the commission or its authorized representatives at any reasonable time. The commission may require from any such employer such reports on wages, hours, employment, unemployment and related matters concerning his employees as the commission deems necessary for the effective administration of this chapter, and every such employer shall fully, correctly and promptly furnish to the commission all information required by it to carry out the purposes and provisions of this chapter. The commission may require that such information be verified under oath, which may be administered by the commission, any member thereof, or any person thereto authorized by it.

Employers
to keep
records, etc.

Section 35. Information secured pursuant to this chapter shall be confidential and for the exclusive use and information of the commission in the discharge of its duties hereunder. Such information shall not be open to the public, nor shall it be used in any action or proceeding unless the commission or the commonwealth is a party to such action or proceeding, but any employer or employee, upon request, shall be supplied by the commission with information concerning his own record which is necessary to him in his relations with the commission in connection with a claim or otherwise. Whoever, except with authority of the commission or pursuant to its rules and regulations, or as otherwise required or authorized by law, shall disclose the same, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months, or both; provided, that nothing herein shall be construed to prevent the commission from complying with the provisions of section forty-seven or from conducting any investigations it deems relevant in connection herewith, nor to prevent the commission from publishing in statistical form the results of any such investigations without disclosing the identity of the individuals involved.

Information
to be deemed
confidential.

Penalty.

General Penalties.

Penalties.

Section 36. Whoever wilfully makes a false statement or representation to obtain or increase any benefit or other payment under any provision of this chapter, either for himself or for any other person, shall be punished by a fine of not less than twenty-five nor more than one hundred dollars, or by imprisonment for not more than thirty days, or both. Each such false statement or representation shall constitute a separate offence.

Any employer, or any officer or agent of an employer, who wilfully makes a false statement or representation to avoid or reduce any contribution or benefit payment required of such employer under any provision of this chapter, or who wilfully fails or refuses to pay any such benefit or contribution, or to furnish any report or information duly required by the commission under any provision of this chapter, or makes or requires any deduction from wages to pay any portion of the contributions required from employers under any provision of this chapter, or attempts by threats or coercion of any kind to induce any individual to waive any rights under any provision of this chapter, shall be punished by a fine of not less than twenty-five nor more than two hundred dollars, or by imprisonment for not more than ninety days, or both; and each such false statement or representation, each such deduction from wages and each such attempt to coerce, shall constitute a separate and distinct offence. If such employer or the employer of such officer or agent is a corporation, the president, the secretary and the treasurer, or officers exercising corresponding functions, shall each be subject to the aforesaid penalties for any violation of any provision of this section of which they, respectively, had knowledge or, in the proper exercise of their duties, ought to have had knowledge.

Any person convicted of a violation of any provision of this chapter or of a violation of any order, rule or regulation of the commission made under the authority of any provision of this chapter, the punishment for which is not otherwise provided, shall be punished by a fine of not more than fifty dollars for the first offence, and, for any subsequent offence within a period of two years immediately following his final conviction of a like offence by a court or magistrate of the commonwealth, shall be punished by a fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment for not more than two years, or both.

The commission or its authorized representative may make complaint against any person for a violation of any provision of this section, within three years after the date of such violation. All fines collected under this section shall be paid to the state treasurer and credited to the unemployment compensation fund.

Unemployment Compensation Fund.

Section 37. There is hereby created a fund, to be known as the unemployment compensation fund, hereinafter and in the four following sections called the fund, to be administered by the commission without liability on the part of the commonwealth beyond the amounts credited to and earned by the fund. The fund shall consist of all contributions and moneys paid into the treasury of the commonwealth and credited to the fund as provided in this chapter, of property and securities acquired by and through the use of moneys belonging to the fund, and of interest earned thereon, less payments therefrom under this chapter.

Fund
established.

Section 38. The fund shall be administered in trust and used solely to pay benefits hereunder, upon vouchers drawn thereon by the commission pursuant to its general rules, regulations and orders, and no other disbursements shall be made therefrom except as provided in section eight.

Administra-
tion of fund.

The fund shall be the sole and exclusive source for the payment of benefits hereunder, and such benefits shall be deemed to be due and payable only to the extent that contributions, with increments thereon, are actually collected and credited to the fund.

Section 39. The state treasurer shall be, ex officio, the treasurer and custodian of the fund; and all disbursements therefrom shall be paid by him upon vouchers duly drawn as the commission shall prescribe. He shall have custody of all moneys, securities and property belonging to the fund and not otherwise held, deposited or invested under this chapter. He shall give a separate and additional bond, conditioned on the faithful performance of his duties as treasurer and custodian of the fund, in an amount recommended by the commission and approved by the governor and council and with surety or sureties satisfactory to the attorney general. Such bond shall be deposited with the state secretary. Premiums upon bonds required pursuant to this section shall be paid from the unemployment compensation administration account.

State
treasurer
custodian
of fund.

Section 40. The state treasurer shall deposit or invest the fund under the supervision and control of the commission, subject to this chapter; provided, that upon the establishment by the federal government or its authorized agency of an unemployment trust fund from which the state treasurer, as the state agency which is custodian of the fund, may be entitled to requisition at any time such sums standing therein to his account or the account of the commonwealth as may be required by the commission to pay unemployment benefits as provided in this chapter, said treasurer shall deposit or invest the fund therein and keep it so deposited or invested, except sums requisitioned as aforesaid, so long as the treasury of the United States continues to maintain for the commonwealth a separate book account of all funds deposited

Deposit and
investment
of fund.

therein by it for benefit purposes, together with its proportionate share of the earnings of such unemployment trust fund, from which no other state is permitted to make withdrawals. If and when such unemployment trust fund, or the federal law under which it is established, ceases to exist, or such separate book account is no longer maintained, all moneys, properties or securities therein, belonging to the unemployment compensation fund of the commonwealth shall be requisitioned by the state treasurer, as treasurer and custodian of the fund, who shall thereafter hold, invest, transfer, sell, deposit and release such moneys, properties or securities in accordance with the pertinent provisions of this chapter.

All investments of the fund shall, as far as practicable, be readily convertible into cash when needed. To this end the investment board created by section forty-one shall invest the fund, except as provided in this section, only in the following classes of securities; (a) United States treasury notes and certificates; (b) other direct obligations of the United States; (c) securities which are the direct obligations of the commonwealth; (d) bonds and other interest-bearing obligations of any legally constituted governmental subdivision of the commonwealth, if such subdivision has never defaulted in the payment of the principal or interest of any of its bonds or other interest-bearing obligations.

Investment
board.

Section 41. An investment board of three members, hereinafter called the board, the membership of which shall be as provided in the following sentence, is hereby created, and shall be responsible for directing how and to what extent the fund shall from time to time be held, deposited and invested under this chapter. The board shall consist of the state treasurer, the commissioner of banks and the chairman of the commission, or their authorized representatives. The board shall perform its duties by the recorded vote of any two of its members and under rules to be adopted by it. During the first year of contribution payments under this chapter the board shall promptly direct the investment of all moneys received by the fund, except as otherwise provided in section forty. Thereafter, except as otherwise provided in said section, as the board may from time to time determine, not less than twenty nor more than forty per cent of the fund shall either be deposited with the federal reserve bank of Boston, if said bank is authorized to receive and to pay interest on such deposits, or shall be deposited by the state treasurer in the same manner and subject to all the provisions of law applying to the deposit of other state funds, or shall, at the direction of the board, be held in ear-marked cash either by the state treasurer or by the federal reserve bank of Boston, if said bank is authorized to hold such funds for the commonwealth, or in other safe depositories selected by the board. Except as otherwise provided in section forty, the balance of the fund shall at the direction of the board be invested in any or all of the classes of securities therein re-

ferred to. If the fund is so invested, the board may purchase and sell such securities therefor at current market prices, may invest and reinvest the fund from time to time in its discretion, and may, in its discretion, borrow against its investments for current payments. To enable the board to perform its duties under this section the commission shall furnish the board with any necessary assistance duly requested by the board and approved by the commission.

Unemployment Compensation Administration Account.

Section 42. There is hereby created the unemployment compensation administration account, hereinafter and in the two following sections called the account, to consist of all moneys appropriated by the commonwealth for the administration of this chapter and of all moneys received under this chapter or under federal law and designated for the administration of this chapter or for said account. The entire cost of the administration of this chapter, including salaries, cost of public employment offices, and other expenditures and expenses required, shall be paid out of the account; provided, that in no case shall the administrative expenses exceed ten per cent of the annual contributions of employers and employees. The account shall be kept and accounted for by the state treasurer in the same manner as other moneys of the commonwealth, except that its annual balances shall be carried forward and shall remain continuously available to the commission solely for the purposes herein specified. The state treasurer shall give a separate and additional bond, conditioned on the faithful performance of his duties as custodian of the moneys in the account, in an amount recommended by the commission and approved by the governor and council and with surety or sureties satisfactory to the attorney general. Such bond shall be deposited with the state secretary. Premiums upon bonds required pursuant to this section shall be paid from the account.

Administration account.

Section 43. All federal moneys allotted or apportioned to the commonwealth by the federal social security board, or other federal agency, for the administration of this chapter, shall be paid into the account.

Federal moneys.

Section 44. Special employment service accounts shall be maintained as a part of the account, for the purpose of segregating such money as may be made available by the commonwealth for its state employment service, together with such money as may be allotted to the commonwealth under the Wagner-Peyser Act, so-called, and such money as may be apportioned for the purposes of such accounts from moneys received by the commonwealth under Title III of the Social Security Act, so-called, or under any other federal law.

Special employment service accounts.

For the purpose of establishing and maintaining free employment offices, the commission is authorized to enter into agreements with any city or town of the commonwealth

and, as a part of any such agreement, the commission may accept moneys, services or quarters for the purposes of the employment service accounts.

Administration.

State
advisory
council.

Section 45. The state advisory council established under section nine N of chapter twenty-three shall perform all the duties imposed on it by this chapter and, in addition, shall consider and advise the commission upon all matters connected with this chapter submitted to it by the commission and may recommend upon its own initiative such changes in the administration of this chapter as it deems necessary. It shall have full investigatory powers, and shall have direct access to all sources of information relating to employment. It shall promote as far as possible the regularization of employment within the commonwealth. It shall so aid in the formation of policies related to the administration of this chapter as to insure a fair, impartial and neutral administration hereof, free from political influences.

Law and
rules, etc.,
to be dis-
tributed.

Section 46. The commission, subject to the approval of the commission on administration and finance, shall cause to be printed in proper form for distribution to the public the full text of this chapter, its general rules, its annual reports, its regulations, classifications, rates and rules of procedure, and any other material it deems relevant and suitable, and shall distribute the same, free of charge, upon request. Unless the contrary is provided hereunder, or by the rules or regulations of the commission, such printing and distribution shall be deemed a sufficient publication of the same.

Reports of
commission.

Section 47. The commission shall make such reports, in such form and containing such information, as the federal social security board or its successor may from time to time require, and shall furnish such additional information in such form as said board or its successor may from time to time require to substantiate the accuracy of such reports; and shall make available, upon request, to any agency of the United States charged with the administration of public works or other assistance through public employment, the names, addresses, ordinary occupation and employment status of each recipient of unemployment benefits, and a statement of such recipient's rights to further benefits under this chapter; and shall comply with all reasonable federal regulations governing expenditures of sums allotted or apportioned to the commonwealth for the administration of this chapter and accepted by the commonwealth.

Agreements
with federal
and other
state govern-
ments.

Section 48. The commission is hereby authorized and empowered to enter into arrangements with the appropriate agencies of other states and the federal government whereby individuals performing services in the commonwealth and in other states for an employer under circumstances not specifically provided for in section one (f) of this chapter, or under similar provisions in the unemployment compensation laws

of such other states, shall be deemed to be engaged in employment performed entirely within the commonwealth or within one of such other states, and whereby potential rights to benefits accumulated under the unemployment compensation laws of several states or under such a law of the federal government, or both, may constitute the basis for the payment of benefits through a single appropriate agency or otherwise under terms which the commission finds to be fair and reasonable as to all affected interests and not to result in any substantial loss to the fund.

Section 49. This chapter shall be known and may be cited as the Unemployment Compensation Law. Chapter,
how cited.

Section 50. If any part, section or subdivision of this chapter, or the application thereof, shall be held invalid, unconstitutional or inoperative as to any particular person, persons or conditions, the remainder hereof, or the application of any such part, section or subdivision to other persons and conditions, shall not be affected thereby. Effect of
invalidity
of part of
chapter.

Section 51. No person shall be or be deemed to be vested with any property or other right by virtue of the enactment of this chapter. Reservations.

SECTION 2. The provisions of chapter one hundred and fifty-one A, as appearing in section one of this act, shall take effect as of January first, nineteen hundred and thirty-seven, except that employees' contributions shall be determined in accordance with the provisions of said chapter as so appearing, as of July first, nineteen hundred and thirty-seven. Effective
date.

SECTION 3. All actions and proceedings, at law or in equity, and all prosecutions, pending on the effective date of this act, whether commenced for the purpose of enforcing any of the provisions of chapter one hundred and fifty-one A of the General Laws, as in force at any time prior to such effective date, or brought upon any complaint or indictment for the violation of any provision thereof for the violation of which a penalty of a fine or imprisonment, or otherwise, was provided therein, may be prosecuted and enforced to the same extent as if said chapter were still in force and effect. Temporary
provisions.

All orders made under any provision of said chapter as formerly in force and not revoked by operation of law, or otherwise, prior to the effective date of this act shall, until revoked or amended, remain in full force and effect.

Nothing in this act shall be construed to relieve any person subject to said chapter, as formerly in force, from the consequences of any act done in violation of, or refusal or neglect to act in accordance with, any provision of said chapter, as formerly in force, or of any lawful order of the commission made thereunder.

SECTION 4. This act shall be construed as a continuation of the unemployment compensation law of this commonwealth in effect immediately prior to the effective date of this act. The unemployment compensation fund estab- Act, how
construed.

lished under said law in effect as aforesaid shall be continued and maintained in all respects as if this act had not been enacted, excepting in so far as the provisions of this act are in conflict with such continuance and maintenance.

Approved May 29, 1937.

Chap. 422 AN ACT FURTHER PROVIDING FOR A TEMPORARY ADDITIONAL TAX UPON PERSONAL INCOMES, CORPORATIONS, SUCCESSIONS AND LEGACIES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. There is hereby imposed, in addition to the taxes levied under the provisions of chapter sixty-two of the General Laws, as appearing in the Tercentenary Edition, and all acts in amendment thereof and in addition thereto, taxes levied under the provisions of section nine of chapter three hundred and seven of the acts of nineteen hundred and thirty-three, as amended, and taxes levied under the provisions of sections thirty to sixty, inclusive, of chapter sixty-three of the General Laws, as appearing in the Tercentenary Edition, and all acts in amendment thereof and in addition thereto, an additional tax equal to ten per cent of the taxes imposed under the provisions of said sections, acts and chapters, and all provisions of law relative to the assessment, payment, collection and abatement of the said taxes shall apply to the taxes imposed by this section; provided, that no tax assessed under this section in or on account of the calendar year nineteen hundred and thirty-seven shall bear interest prior to October first of said year.

SECTION 2. All property subject to a legacy and succession tax under the provisions of chapter sixty-five of the General Laws, as appearing in the Tercentenary Edition, and of any further amendments thereof or additions thereto, shall be subject to an additional tax of ten per cent of all taxes imposed by said provisions. All provisions of law relative to the determination, certification, payment, collection and abatement of such legacy and succession taxes shall apply to the additional tax imposed by this section.

SECTION 3. All the taxes provided by sections one and two shall be retained by the commonwealth.

SECTION 4. A fiduciary shall be liable to pay a tax under this act upon income received and distributed by him prior to the effective date thereof only to the extent that such fiduciary shall, after said effective date, hold as such fiduciary funds of an estate or trust due to the beneficiary to whom said income was distributed.

SECTION 5. Section one shall apply only to the assessment of taxes in or on account of the calendar year nineteen hundred

and thirty-seven. Section two shall apply only to property or interests therein passing or accruing upon the death of persons who die in the calendar year nineteen hundred and thirty-seven.

Approved May 29, 1937.

AN ACT PROVIDING FOR THE ACQUISITION OF PROPERTY FOR FLOOD CONTROL PURPOSES IN THE MERRIMACK RIVER VALLEY, FOR COMPLIANCE BY THE COMMONWEALTH WITH THE INTERSTATE COMPACT RELATIVE THERETO, AND FOR FURTHER STUDY RELATIVE TO SUCH FLOOD CONTROL. Chap. 423

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience. Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. The department of public works shall be the agency of the commonwealth for the acquisition of lands, easements and rights of way provided for in the compact between the commonwealth and the state of New Hampshire relative to flood control in the Merrimack river valley. Said department, upon the request of the Merrimack river valley flood control commission, established by said compact, may take by eminent domain under chapter seventy-nine of the General Laws or acquire by purchase or otherwise, in behalf of the commonwealth, such lands, easements and rights of way, including cemeteries and property held for public use, and including any railroad, electric transmission or distribution lines, telephone or telegraph lines, pipe lines, aqueducts, water mains, gas mains or other public utility structures located thereon within the commonwealth, as are determined and designated by said flood control commission for the construction of any reservoirs authorized under said compact.

Said department may enter into any agreement or contract with any person, city, town, water district or public utility company providing for the removal of his or its railroad, electric transmission or distribution lines, telephone or telegraph lines, pipe lines, aqueducts, water mains, gas mains or other public utility structures to such new location under such terms and conditions as may be agreed upon and without expense to the owner thereof. For the purpose of providing lands, easements or rights of way for such new location, said department may take property by eminent domain under chapter seventy-nine of the General Laws.

Said department shall keep an accurate account of all expenditures made or incurred in the acquisition of lands, easements and rights of way under any provision of this section, and the same shall be included as part of the cost of acquisition to be paid by said Merrimack river valley flood control commission. Said expenditures shall be made in anticipation of and subject to appropriations.

SECTION 2. Upon the acquisition of such lands, easements and rights of way or parts thereof for the construction of any dam or reservoir authorized under said compact, and the full payment by said Merrimack river valley flood control commission of the cost of acquisition thereof, including all expenditures the inclusion of which is authorized by article VIII of said compact, said department in the name of the commonwealth shall make, execute and deliver to said commission a good and sufficient lease for nine hundred and ninety-nine years of such lands, easements and rights of way, upon the conditions and subject to all the provisions and restrictions set forth in article VII of said compact.

SECTION 3. Said department of public works, upon notice from and at the sole expense of said Merrimack river valley flood control commission, shall make such highway relocations as may become necessary because of the construction, operation and maintenance of any dam or reservoir authorized under said compact. Said department shall lay out and construct the new locations in the manner provided by law for the laying out and construction of state highways, and may take property therefor by eminent domain under said chapter seventy-nine; but after the construction of each such relocated highway it shall be a state highway only if the highway of which it is a relocation was a state highway, otherwise it shall be a highway subject to chapters eighty-two and eighty-four of the General Laws and all other provisions of law relative to highways in each county and municipality in which it, or any part thereof, is situated after such relocation.

An accurate record shall be kept of the cost of such relocations, including the cost of acquisition of any lands, easements and rights of way necessary thereto, and any expense incidental to the same, and the said cost and expense shall be paid by said Merrimack river valley flood control commission in accordance with the terms of said compact; provided, that due allowance shall be made on account of any improved type of construction of such relocated highway. In the event that said department and said commission cannot agree as to the cost and expense to be paid by said commission on account of such highway relocation, either party may apply by petition to the superior court within and for any county wherein such highway as relocated or any part thereof is situated, to fix and determine the same, and, upon hearing, said court shall thereupon ascertain and adjudge the amount thereof, giving the matter precedence over all other civil cases, except as otherwise provided by law.

SECTION 4. Said department of public works is hereby designated the agency, with the approval of the governor, to notify the United States through its war department, before construction work is commenced upon any flood control reservoir authorized under said compact, of the determination by the commonwealth to preserve the value of any such site for the purpose of water conservation,

power storage or power development that may be inherent in such site, in order that the dam and works at such site may be so designed and constructed as to provide for the further development thereof as a storage reservoir for the purposes aforesaid. Said department may, with the approval of the governor, enter into contracts or agreements with the United States respecting the terms and conditions under which such rights of water conservation, power storage or power development shall be made available, and may approve on the part of the commonwealth such types of dams and reservoirs and such general plans for their construction, as will provide for such further development in accordance with the terms and provisions of article IX of said compact.

Said department may acquire in the manner provided in section one such additional lands, easements and rights of way as may be necessary for the full beneficial use of the rights reserved to the commonwealth under the terms of said compact.

In providing for such further development and use of such dams and reservoirs for the purposes reserved to the commonwealth as aforesaid, or in the acquisition of lands, easements or rights of way therefor, or for any flood control reservoir site, said department, with the approval of the governor, may enter into such contracts and agreements with such persons, under such terms and subject to such conditions, as to it shall appear to be for the best interest and advantage of the commonwealth.

Said department, with the approval of the governor, may at any time hereafter, whenever it may determine that any reservoir constructed under the terms of said compact is desirable or necessary to be used for water conservation, power storage or power development, require the same to be adapted for that purpose in accordance with the provisions of article IX of said compact.

SECTION 5. All sums required by said compact to be paid by the commonwealth to the Merrimack river valley flood control commission shall be paid by the state treasurer to the treasurer of said commission upon its requisition therefor.

SECTION 6. To meet the expenditures necessary to carry out the provisions of article X of said compact relating to the payment by the commonwealth to the Merrimack river valley flood control commission of the proportionate share of the commonwealth in the cost of acquisition of lands, easements and rights of way for the dams and reservoirs therein provided as the initial plan, the state treasurer shall upon request of said commission issue and sell, at public or private sale, bonds of the commonwealth registered or with interest coupons attached as he may deem best to an amount to be specified by said commission from time to time, but not in excess of one million, one hundred and forty-two thousand five hundred dollars in the aggregate, nor in excess of five hundred and seventy-one thousand two hundred and fifty dollars in any one year. All such bonds shall be desig-

nated on their face, — Merrimack River Valley Flood Control Loan, and shall be on the serial payment plan for such maximum term of years as the governor may recommend to the general court in accordance with section 3 of article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amount payable each year, other than the final year, shall, as nearly as in the opinion of the state treasurer is practicable, be equal. Said bonds shall bear interest payable semi-annually at such rate as the state treasurer, with the approval of the governor and council, shall fix.

SECTION 7. There may be expended for the compensation of the members of said commission appointed by the commonwealth who do not hold salaried state office and for the necessary expenses of operation and maintenance of structures and appurtenances thereto provided for under said compact such sums as may be annually appropriated therefor.

SECTION 8. The state planning board shall make or cause to be made such studies and investigations of the Merrimack river and its tributaries, with particular reference to the matter of possible flood control reservoir sites on such tributaries and the availability and feasibility of the same in connection with the further extension and expansion of a comprehensive program of flood control contemplated under said compact, as may be necessary to determine the character and location of reservoir sites which would be most beneficial to the commonwealth as a part of such program. From time to time said board shall report its findings and recommendations upon the foregoing matters to the general court.

Approved May 29, 1937.

Chap. 424 AN ACT MAKING CERTAIN CHANGES IN THE LAWS RELATIVE TO
THE SALE OF ALCOHOLIC BEVERAGES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 138,
§ 16A, etc.,
amended.

SECTION 1. Chapter one hundred and thirty-eight of the General Laws is hereby amended by striking out section sixteen A, as most recently amended by section six of chapter three hundred and eighty-five of the acts of nineteen hundred and thirty-four, and inserting in place thereof the following: — *Section 16A.* The holder of an annual license under section twelve or fifteen who applies during the month of November in any licensing period for a license of the same class for the next succeeding licensing period or any former holder of a seasonal license who applies during the month of March for a renewal of a license held during the preceding seasonal licensing period shall be *prima facie* entitled thereto, if the number of such licenses issuable under section seventeen is

Limitation
of licenses.

not less than the number of such holders or former holders so applying. If in any year the number of such licenses so issuable is less than the number of such holders or former holders so applying, such applicants shall be *prima facie* entitled to renewals in the order of the dates of their respective applications, to the extent that the same are issuable under section seventeen. Any such application may, however, be rejected for cause, subject to appeal under section sixty-seven. A person whose application has so been rejected by the local licensing authorities shall for the purposes of section seventeen be deemed to have been granted such a license until the period for such an appeal has expired or until his appeal has been dismissed.

SECTION 2. Said chapter one hundred and thirty-eight is hereby further amended by striking out section sixteen B, as most recently amended by chapter two hundred and ninety-one of the acts of the current year, and inserting in place thereof the following: — *Section 16B.* Applications for licenses or permits authorized to be granted by the commission shall be granted or dismissed not later than thirty days after the filing of the same, and, except as provided in section sixteen A, applications for licenses authorized to be granted by the local licensing authorities shall be acted upon within a like period and if favorably acted upon by the said authorities shall be submitted for approval by the commission not later than three days following such favorable action; provided, however, that local licensing authorities shall not be required to act prior to December fifteenth in any year on applications for the renewal of annual licenses filed in accordance with the provisions of section sixteen A or prior to April fifteenth in any year on applications for the renewal of seasonal licenses so filed. A license so approved shall be issued by said authorities not later than three days following receipt of notice of approval by the commission. Any applicant for a license under this chapter who fails to comply with the requirements of section seventy within fourteen days after notice that a license has been authorized to be granted to him shall forfeit any right thereto, unless the licensing authorities to which application was made otherwise determine.

Unless the licensing authorities otherwise determine, not more than one application for a license under section twelve or fifteen to be exercised on the same premises shall be received in any year.

SECTION 3. Said chapter one hundred and thirty-eight is hereby further amended by striking out section seventeen, as most recently amended by section one of chapter fourteen of the acts of the current year, and inserting in place thereof the following: — *Section 17.* Except as otherwise provided in this chapter, the number of licenses issued in any city or town under sections twelve and fifteen and in force and effect at any one time during any license year shall be limited as hereinafter provided:

G. L. (Ter. Ed.), 138, § 16B, etc., amended.

Time within which licenses, etc., shall be granted.

G. L. (Ter. Ed.), 138, § 17, etc., amended.

Number of licenses.

(1) The local licensing authorities of any town having a population of three thousand or less may grant four licenses under the said sections, but in no case shall they grant more than three licenses under section twelve or more than two licenses under section fifteen.

(2) The local licensing authorities of any town having a population of more than three thousand, but not more than four thousand, may grant four licenses under the said sections, not more than two of which shall be under section fifteen.

(3) The local licensing authorities of any town having a population of more than four thousand, but not more than five thousand, may grant five licenses under the said sections, not more than two of which shall be under section fifteen.

(4) The local licensing authorities of any city or town having a population of more than five thousand, but not more than fifteen thousand, may grant in the aggregate one license under the said sections for each population unit of one thousand or fraction thereof, but not more than three of the said licenses shall be under section fifteen.

(5) The local licensing authorities of any city or town, except the city of Boston, having a population of more than fifteen thousand may grant in the aggregate one license under the said sections for each population unit of one thousand or fraction thereof, but the number of licenses under section fifteen shall not exceed one for each population unit of five thousand or fraction thereof.

Irrespective of the number of licenses that may otherwise be granted in cities and towns as provided in clauses (1) to (5), inclusive, of this section, the local licensing authorities may grant to legally chartered clubs in any such city or town five additional licenses under section twelve, and such authorities in any city or town having a population exceeding twenty-five thousand may grant one additional license as aforesaid for each population unit of ten thousand or fraction thereof over twenty-five thousand; but the provisions of this section shall not prevent the granting of additional licenses in any such city or town to such clubs as were licensed therein to sell during the year nineteen hundred and thirty-five all alcoholic beverages, nor shall they prevent the granting in any such city or town of additional licenses to legally chartered clubs not so licensed, if within the number of licenses of all classes that may be granted under section twelve in any such city or town as provided in said clauses.

In addition to the number of licenses otherwise authorized to be granted by the provisions of this section, the local licensing authorities of any city or town, except the city of Boston, which has voted to grant licenses for the sale of all alcoholic beverages as provided in the first question appearing in section eleven, may grant not more than one license for the sale of wines or malt beverages only, or both, for

each population unit of five thousand or fraction thereof; provided, that in any such city or town, said authorities may grant at least five additional licenses for the sale of such beverages, irrespective of its population; and provided, further, that the establishment of this limitation shall not be construed to prevent the renewal of any license granted prior to June fifteenth, nineteen hundred and thirty-seven.

The local licensing authorities of any city or town, except the city of Boston, which has voted to grant licenses for the sale of wines and malt beverages, as provided in the second question appearing in section eleven, and which has also voted to grant licenses for the sale of all alcoholic beverages in packages, as provided in the third question appearing in the said section, may grant additional licenses under section fifteen for the sale of wines or malt beverages only, or both, equal to the number of licenses under the said section otherwise authorized to be granted in any such city or town by the provisions of this section.

The local licensing authorities of any city or town, except the city of Boston, may make an estimate prior to March first in any year of any temporary increased resident population in such city or town as of July tenth following, and one additional license under section twelve, to be effective from April first to November thirtieth only, may be granted by said authorities for each unit of one thousand or additional fraction thereof of such population as so estimated, and one additional license under section fifteen, to be effective from April first to November thirtieth only, may be so granted for each unit of five thousand or additional fraction thereof, of such population as so estimated; and provided, further, that said authorities may grant, in addition and irrespective of any limitation of number of licenses contained in this section, seasonal licenses under section twelve to duly incorporated clubs in their city or town if deemed by them to be in the public interest. Every estimate hereunder of temporary resident population shall be made and voted upon by the local licensing authorities at a meeting of said authorities called for the purpose after due notice to each of the members thereof of the time, place and purpose of said meeting and after investigation and ascertainment by them of all the facts and after co-operative discussion and deliberation. A copy of such an estimate, signed by a majority of the members of said authorities, stating under the penalties of perjury that all the foregoing requirements have been complied with and that the estimate is true to the best of their knowledge and belief, shall be forwarded forthwith to the commission.

The licensing board for the city of Boston may grant eight hundred and fifty licenses for the sale of all alcoholic beverages under section twelve and three hundred and five licenses for the sale of such beverages under section fifteen; provided, that no further original licenses under section fifteen shall be granted until the number of licenses out-

standing thereunder shall have been reduced to less than two hundred and fifty by cancellation or revocation or the failure of holders of such licenses to apply for renewals and thereafter licenses thereunder may be granted only up to a total not exceeding two hundred and fifty. The number of licenses for the sale of wines or malt beverages only, or both, in the said city shall not exceed three hundred and twenty.

Notwithstanding the provisions hereof, no quota established hereunder for any city or town shall be decreased because of a loss in population of less than one thousand inhabitants.

Unless expressly authorized by this chapter, local licensing authorities shall not grant licenses to any person, firm or corporation under more than one section of this chapter.

G. L. (Ter. Ed.), 138, new section 20A, added.

Warehousemen's permits.

SECTION 4. Said chapter one hundred and thirty-eight is hereby further amended by inserting after section twenty, as most recently amended by sections six and seven of chapter three hundred and sixty-eight of the acts of nineteen hundred and thirty-six, the following new section: — *Section 20A.* The commission may annually grant to a person or corporation licensed as a public warehouseman under section one of chapter one hundred and five, or corresponding provisions of earlier laws, a permit to store and warehouse alcoholic beverages, subject, however, to such regulations as shall be made by the commissioner of corporations and taxation relative to the receipt, storage and removal of alcoholic beverages stored under authority of such a permit, and said commissioner is hereby empowered to make, amend or annul such regulations and to enforce the same. The fee for such a permit shall be ten dollars. Whoever without such a permit receives alcoholic beverages for the purpose of storing and warehousing the same in a public warehouse shall be subject to the penalties prescribed in section two.

G. L. (Ter. Ed.), 138, § 34, etc., amended.

Employment of minors prohibited.

SECTION 5. Said chapter one hundred and thirty-eight is hereby further amended by striking out section thirty-four, as most recently amended by chapter one hundred and seventy-one of the acts of nineteen hundred and thirty-six, and inserting in place thereof the following: — *Section 34.* No person shall receive a license or permit under this chapter who is under twenty-one years of age. Whoever, being licensed under this chapter, employs any person under twenty-one years of age in the direct handling or selling of alcoholic beverages or alcohol or whoever makes a sale or delivery of any such beverages or alcohol to any person under twenty-one years of age, either for his own use or for the use of his parent or of any other person or whoever, being a patron of an establishment licensed under section twelve, delivers or procures to be delivered in any public room or area of such establishment any such beverages or alcohol to or for the use of a person whom he knows or has reason to believe to be under twenty-one years of age shall be punished by a fine of not more than two hundred

dollars or by imprisonment for not more than six months, or both.

SECTION 6. Section six of chapter one hundred and forty of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in the first line, the word "An" and inserting in place thereof the following: — Except as provided in section six A with respect to a common victualler's license, an, — so as to read as follows: — *Section 6.* Except as provided in section six A with respect to a common victualler's license, an innholder's or common victualler's license shall not be granted unless at the time of making application therefor the applicant has upon his premises the necessary implements and facilities for cooking, preparing and serving food for strangers and travelers; and, if he is an applicant for an innholder's license, also has the rooms, beds and bedding required by law.

G. L. (Ter. Ed.), 140, § 6, amended.

Innholders, etc., limitation on licensing of.

SECTION 7. Said chapter one hundred and forty is hereby further amended by inserting after said section six the following new section: — *Section 6A.* Any person, firm or corporation applying for a license as a common victualler and at the same time for a license to sell alcoholic beverages, as defined in section one of chapter one hundred and thirty-eight, to be exercised upon premises which have not been equipped with fixtures or supplied with necessary implements and facilities for cooking, preparing and serving food or for serving alcoholic beverages shall file with the local licensing authority a plan showing the location of booths, bars, tables, ranges, toilets and in general the proposed set-up of the premises if and when the licenses may issue, together with an itemized estimate of the cost of said proposed set-up and of such fixtures, and implements and facilities necessary for cooking, preparing and serving food and for serving such beverages, and shall also file with the alcoholic beverages control commission a duplicate of such plan. Thereupon the local licensing authority may grant the common victualler's license and, subject to the approval of said commission, the license to sell alcoholic beverages, as so defined, upon the condition that neither of said licenses shall issue until the completion of the premises according to the plans and estimates submitted, and the decision of the local licensing authority as to whether or not said premises are so completed shall be final.

G. L. (Ter. Ed.), 140, new section 6A, added.

Applicants for licenses to file plan of premises, etc.

Approved May 29, 1937.

AN ACT ESTABLISHING A BOARD OF REGISTRATION IN CHIROP-
ODY (PODIATRY) AND REGULATING THE PRACTICE OF SAID
PROFESSION.

Chap. 425

Be it enacted, etc., as follows:

SECTION 1. Chapter thirteen of the General Laws is hereby amended by inserting after section twelve, as appearing in the Tercentenary Edition, the following three new sections, under the following heading:

G. L. (Ter. Ed.), 13, new sections 12A-12C, added.

BOARD OF REGISTRATION IN CHIROPODY (PODIATRY).

Board of
registration
in chiropody,
appoint-
ment, etc.

Section 12A. There shall be a board of registration in chiropody (podiatry), to be appointed by the governor, with the advice and consent of the council, in this and the two following sections called the board, consisting of five members, citizens of the commonwealth, four of whom shall have had at least seven years of practice in chiropody (podiatry) in this commonwealth. The fifth member shall be a registered physician who shall have had at least seven years of practice in medicine in this commonwealth. Not more than two members of the board shall at one time be members of the same society composed of chiropodists (podiatrists). No member of the board shall be connected in any way with a school of chiropody (podiatry) or be financially interested in any manufacturing, wholesale or retail business, pertaining to chiropody (podiatry) in any form whatsoever. As the term of a member expires, his successor shall be appointed by the governor, with like advice and consent, to serve for five years.

Meetings.

Section 12B. The board shall hold regular meetings on the second Tuesdays of March, July and November in each year, and additional meetings at such times and places as it may determine. At the regular meeting in July it shall organize by electing a chairman and secretary, who shall be members of the board, and who shall hold their respective offices for one year. Three members of the board shall constitute a quorum for the transaction of business.

Salaries.

Section 12C. There shall be paid by the commonwealth to the secretary of the board a salary of three hundred dollars, and his necessary expenses incurred in the discharge of his official duties, and to each of the other members thereof a salary of one hundred and fifty dollars, and his necessary expenses so incurred; provided, that the salaries and expenses of the members of the board, and the expenses of the board, shall not be in excess of the receipts for registration and from other sources received by the state treasurer from the board.

G. L. (Ter.
Ed.), 112, § 13,
amended.

SECTION 2. Section thirteen of chapter one hundred and twelve of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "Chiropody" in the first line the following:— (podiatry), — so as to read as follows:— *Section 13.* "Chiropody" (podiatry), as used in this chapter, shall mean the external treatment of the structures of the human foot by medical, mechanical or surgical means without the use of other than local anaesthetics. This and the ten following sections shall not apply to surgeons of the United States army, navy, or of the marine hospital service, nor to physicians registered in the commonwealth.

"Chiropody
(podiatry)",
defined.

G. L. (Ter.
Ed.), 112, § 14,
amended.

SECTION 3. Section fourteen of said chapter one hundred and twelve, as so appearing, is hereby amended by inserting

after the word "chiropody" in the first and second lines the word:— (podiatry), — and by inserting after the word "chiropodist" in the second, and in the fourth and fifth lines, in each instance, the following:— (podiatrist), — so as to read as follows:— *Section 14.* No person shall practice or attempt to practice chiropody (podiatry) in the commonwealth, or hold himself out as a chiropodist (podiatrist), or designate himself, or describe his occupation, by the use of any words or letters calculated to lead others to believe that he is a registered chiropodist (podiatrist), unless he is registered as provided in section sixteen.

Certain
acts pro-
hibited.

SECTION 4. Section fifteen of said chapter one hundred and twelve, as so appearing, is hereby amended by inserting after the word "board" in the first line the words:— of registration in chiropody (podiatry), in sections sixteen to twenty-two, inclusive, called the board, — so as to read as follows:— *Section 15.* The board of registration in chiropody (podiatry), in sections sixteen to twenty-two, inclusive, called the board, shall prepare and distribute forms of applications for registration, certificates of registration and such other documents as may be necessary or convenient in carrying out sections thirteen to twenty-three, inclusive. It shall hold at least two examinations annually, at times and places to be designated by it, after due notice of the same by publication at least twice a week for three successive weeks in one or more newspapers published in the county where the examination is to be held, and it may hold other examinations as it deems necessary or proper.

G. L. (Ter.
Ed.), 112,
§ 15, amended.

Board to
prepare and
distribute
forms, etc.

SECTION 5. Said chapter one hundred and twelve is hereby further amended by striking out section sixteen, as so appearing, and inserting in place thereof the following:— *Section 16.* Applications for registration, signed and sworn to by the applicant, shall be made upon blanks furnished by the board. If an applicant furnishes the board with satisfactory proof that he is twenty-one and of good moral character, and that he has been graduated from a school of chiropody (podiatry) approved by the board, he shall, upon payment of fifteen dollars, be examined by the board as provided in the following section, and, if found qualified, shall be registered and shall receive a certificate as a registered chiropodist (podiatrist), signed by the chairman and secretary of the board. An applicant failing to pass an examination satisfactory to the board shall, within one year, if not disqualified under sections eighteen and nineteen, be entitled to a re-examination upon payment of two dollars, and, in case of failure to pass that examination, shall within one year, if not disqualified as aforesaid, be entitled to a third examination upon payment of two dollars; but two such examinations shall exhaust his privilege under his original application. But no such applicant shall be registered unless he obtains a general average of seventy-five per cent in the various subjects in which he is examined and not less than fifty per cent in any subject. Every such certificate shall

G. L. (Ter.
Ed.), 112,
§ 16, amended.

Applications
for registration.

Renewal of
certificates.

expire on the last day of the year when it was granted, but upon payment of two dollars shall be renewed by the board for each subsequent year without examination.

Any applicant aggrieved by the refusal of the board to approve a chiropody (podiatry) school under this section shall be entitled to have the reasonableness of such refusal reviewed by a justice of the superior court whose decision shall be final.

Inspection
of schools,
etc.

The board shall, upon the request of any college, university or chiropody (podiatry) school in this commonwealth, inspect such college, university or chiropody (podiatry) school and notify the trustees or other governing body in writing if said college, university or chiropody (podiatry) school is approved by the board for the purposes of this section, or, if not, what steps said college, university or chiropody (podiatry) school must take in order to gain the approval of the board.

Any college, university or chiropody (podiatry) school desiring to be approved for the purposes of this section may file with the board a written request for the approval of such college, university or chiropody (podiatry) school and thereupon a public hearing shall be seasonably granted by the board and a written decision made by it within twenty days after the termination of such hearing and the applicant for such approval shall be notified of such decision. A written decision of the board refusing to approve any college, university or chiropody (podiatry) school shall not become effective until thirty days after written notice of such decision is given to the college, university or chiropody (podiatry) school seeking such approval. Every such college, university or chiropody (podiatry) school aggrieved by such refusal shall have the right to file a petition in the superior court for Suffolk county to revise or reverse the decision of the board. Notice of the entry of such petition shall be given to the board and all proceedings connected therewith shall be according to rules regulating the trial of civil causes without juries. The court shall hear the case and finally determine whether or not such approval shall be granted or revised.

If such a petition is so filed within the aforesaid period of thirty days said decision of the board shall not become effective unless and until a final decree affirming said decision is entered upon the aforesaid petition.

G. L. (Ter.
Ed.), 112, § 17,
amended.

Examina-
tions.

SECTION 6. Said chapter one hundred and twelve is hereby further amended by striking out section seventeen, as so appearing, and inserting in place thereof the following: — *Section 17.* Examinations shall be in English and shall be wholly or partly written, oral or clinical, as the board may determine, and shall include, and be limited to, subjects taught in recognized schools of chiropody (podiatry).

G. L. (Ter.
Ed.), 112,
new section
17A, added.
Records.

SECTION 7. Said chapter one hundred and twelve is hereby further amended by inserting after section seventeen, as so appearing, the following new section: — *Section 17A.* The board shall keep a full record of its proceedings and a registry of all persons registered by it, which shall be public

records and open to inspection. The board shall make such rules and regulations as may be necessary for the proper conduct of its duties. It shall make an annual report, including a statement of the condition of chiropody (podiatry) in the commonwealth.

The board shall investigate all complaints of the violation of any provision of sections thirteen to twenty-two, inclusive, or of section sixty-five relative to chiropody (podiatry), and report the same to the proper prosecuting officers.

SECTION 8. Section eighteen of said chapter one hundred and twelve, as so appearing, is hereby amended by inserting after the word "chiropody" in the eighth line the word: — (podiatry), — so as to read as follows:— *Section 18.* The board shall refuse to issue a certificate to a person, or may, after a hearing if requested by a person to whom a certificate has been issued, revoke such certificate if, in the opinion of the board, such person is intemperate in the use of alcoholic liquors or narcotic drugs, or has been guilty of misconduct involving moral turpitude, or has been convicted of an offence involving moral turpitude, or has violated any provision of sections thirteen to twenty-three, inclusive, or of section sixty-five relative to chiropody (podiatry), or has been guilty of unprofessional conduct, or is in any other manner disqualified morally, mentally or physically to receive or hold such certificate, or has in his application therefor knowingly made any false statements or presented to the board a fraudulent diploma, certificate or other document.

G. L. (Ter. Ed.), 112, § 18, amended.

Revocation of certificates.

SECTION 9. Section nineteen of said chapter one hundred and twelve, as so appearing, is hereby amended by inserting after the word "chiropodist" in the third line the following: — (podiatrist), — and by inserting after the word "purposes" in the seventh line the words: — ; (d) the inclusion of any fraudulent, misleading or deceptive statement in any form of advertising, or advertising fixed prices for professional services, — so as to read as follows:— *Section 19.* "Unprofessional conduct", as used in the preceding section, shall include: (a) the wilful betrayal of a professional secret; (b) lending the use of one's name to an unregistered chiropodist (podiatrist), or having professional connection with such a person or with any one convicted of any offence involving moral turpitude; (c) the selling or giving of any substance or compound containing alcohol or narcotic drugs for other than legal purposes; (d) the inclusion of any fraudulent, misleading or deceptive statement in any form of advertising, or advertising fixed prices for professional services.

G. L. (Ter. Ed.), 112, § 19, amended.

"Unprofessional conduct", defined.

SECTION 10. Section twenty of said chapter one hundred and twelve, as so appearing, is hereby amended by striking out in the second line the word "less" and inserting in place thereof the word:— more, — so as to read as follows:— *Section 20.* The board, after a hearing if requested by the person registered, may suspend any certificate for not more than six months because of any misconduct on the part of

G. L. (Ter. Ed.), 112, § 20, amended.

Suspension of certificates.

the person registered which would not, in its opinion, justify the revocation thereof.

G. L. (Ter. Ed.), 112, § 21, amended.

Local registrations.

SECTION 11. Section twenty-one of said chapter one hundred and twelve, as so appearing, is hereby amended by inserting after the word "chiropody" in the second line the word: — (podiatry), — so as to read as follows: — *Section 21.* Every person registered under section sixteen shall, before entering upon the practice of chiropody (podiatry), submit his certificate of registration to the clerk of the town where he proposes to practice, and shall inform the clerk that he is the person designated therein, and shall pay him fifty cents. Thereupon, the clerk shall record his name and address and the date and number of his certificate, and the said record shall be open to public inspection, and the clerk shall furnish a copy thereof to the board within one week.

G. L. (Ter. Ed.), 112, § 5, amended.

Investigation of complaints.

SECTION 12. Said chapter one hundred and twelve is hereby further amended by striking out section five, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 5.* The board shall investigate all complaints of the violation of any provision of sections two to twelve A, inclusive, or of section sixty-five, so far as it relates to medicine, and report the same to the proper prosecuting officers.

G. L. (Ter. Ed.), 13, § 12, and G. L. (Ter. Ed.), 112, § 23, repealed.

Temporary provisions.

SECTION 13. Section twelve of chapter thirteen of the General Laws, as so appearing, and section twenty-three of said chapter one hundred and twelve, as so appearing, are hereby repealed.

SECTION 14. In the month of September in the current year, the governor, with the advice and consent of the council, shall appoint five persons to serve as the board of registration in chiropody (podiatry), hereinbefore established, of whom one shall serve for one year, one for two years, one for three years, one for four years and one for five years, as the governor may designate, from the first day of October next following. Upon the expiration of the term of a member his successor shall be appointed as hereinbefore provided.

Effective date.

SECTION 15. Section fourteen of this act shall take effect on September first of the current year, and all other provisions thereof shall take effect upon the appointment and qualification of the initial members of said board, as provided in said section fourteen. Upon the appointment and qualification of the initial members of said board, the board of registration in medicine shall forthwith turn over to the board of registration in chiropody (podiatry), hereinbefore established, all books and records and documents in its possession which relate to the practice of chiropody (podiatry).

Approved May 29, 1937.

AN ACT FURTHER REGULATING APPROPRIATIONS FOR THE USE OF THE DEPARTMENT OF CONSERVATION. Chap. 426

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter twenty-nine of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "therefor" in the twentieth line the following:— The budget shall include a sum, equal at least to the total amount received by the division of fisheries and game of the department of conservation during the preceding fiscal year of the commonwealth from license and other fees and fines under the laws relating to game and inland fisheries, and also a sum equal to one half of the amount necessary for payment for personal services and other expenses for or on account of the enforcement of said laws; and said sums shall be appropriated for the general purposes of said division of fisheries and game, not including any services or expenses in any way relating to marine fisheries, — so as to read as follows: — *Section 6.* The budget commissioner shall study and review all estimates and requests for appropriations and other authorizations for expenditures of state funds filed with him as provided by sections three and four, and shall make such investigations as will enable him to prepare a budget for the governor, setting forth such recommendations as the governor shall determine upon. The governor may call upon the comptroller for information relative to finances and for assistance in the preparation of the budget. The budget shall be submitted by the governor to the general court annually within three weeks after the general court convenes, and it shall embody all estimates, requests and recommendations for appropriations or other authorizations for expenditures by the commonwealth. The budget shall be classified and designated so as to show separately estimates and recommendations for: (a) expenses of administration, operation and maintenance; (b) deficiencies or overdrafts in appropriations of former years; (c) new construction, additions, improvements and other capital outlay; (d) interest on the public debt and sinking fund and serial bond requirements; and (e) all requests and proposals, for expenditures for new projects and other undertakings; and shall include in detail definite recommendations of the governor relative to the amounts which should be appropriated therefor. The budget shall include a sum, equal at least to the total amount received by the division of fisheries and game of the department of conservation during the preceding fiscal year of the commonwealth from license and other fees and fines under the laws relating to game and inland fisheries, and also a sum equal to one half of the amount necessary for payment for personal services and other expenses for or on account of the enforcement of said laws; and said sums shall be appropriated for the general purposes of said division of

G. L. (Ter.
Ed.), 29, § 6,
amended.

Budget.

fisheries and game, not including any services or expenses in any way relating to marine fisheries. The budget shall also include definite recommendations of the governor for financing the expenditures recommended, and the relative amounts to be raised from ordinary revenue, direct taxes or loans. All appropriations based upon the budget to be paid from taxes or revenue shall be incorporated in a single bill to be designated the general appropriation bill. With the budget the governor shall submit to the general court such messages, statements or supplemental data relative thereto as he deems expedient, and from time to time during the session of the general court he may submit supplemental messages on recommendations relative to appropriations, revenues and loans.

Effective date.

SECTION 2. This act shall take effect for the purposes of the budget for the fiscal year nineteen hundred and thirty-eight and thereafter.

Approved May 29, 1937.

Chap. 427 AN ACT ESTABLISHING THE MASSACHUSETTS DEVELOPMENT AND INDUSTRIAL COMMISSION FOR THE PROMOTION AND DEVELOPMENT OF THE INDUSTRIAL, AGRICULTURAL AND RECREATIONAL RESOURCES OF THE COMMONWEALTH.

Emergency preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 23, new sections 11B-11D, added.

The Massachusetts Development and Industrial Commission, appointment, etc.

Chapter twenty-three of the General Laws is hereby amended by inserting after section eleven A, inserted by section three of chapter three hundred and thirty-one of the acts of nineteen hundred and thirty-four, under the caption "THE MASSACHUSETTS DEVELOPMENT AND INDUSTRIAL COMMISSION", the following three new sections: — *Section 11B.* There shall be in the department a commission for the promotion and development of the industrial, agricultural and recreational resources of the commonwealth, to be known as the Massachusetts development and industrial commission, in this and the two following sections called the commission. The commission shall consist of the commissioner of labor and industries and the commissioner of agriculture, ex officio, and five unpaid members appointed by the governor, with the advice and consent of the council, who shall be designated in their initial appointments to serve respectively for one, two, three, four and five years. The commission shall annually choose one of its members as chairman. One of the members appointed by the governor as aforesaid shall always be a representative of labor. Upon the expiration of the term of office of an appointive member, a successor shall be appointed in the manner aforesaid for five years. The commission shall meet at least twice a month and at such other times as it shall determine by its rules. The

members shall receive their necessary traveling expenses while in the performance of their official duties.

Section 11C. Subject to the approval of the governor and council, the commission may appoint and fix the compensation of a secretary and such experts as it may require and may remove them with like approval. It may also employ such other necessary clerks and employees as it may require and fix their compensation. Authorized representatives of the commission may travel outside the commonwealth for the purpose of carrying out the provisions of section eleven D. Secretary
and employees.

Section 11D. The commission may conduct researches into industrial and agricultural conditions within the commonwealth, and shall seek to co-ordinate the activities of unofficial bodies organized for the promotion of the industrial, agricultural and recreational interests in the commonwealth, and may advertise, prepare, print and distribute books, maps, charts and pamphlets which in its judgment will further the purpose for which it is created, and, on behalf of the commonwealth, may accept contributions, and, subject to the approval of the governor and council, may expend the same and may contribute to the New England Council such sum or sums as the governor, with the advice and consent of the council, may approve for the purpose of furthering the recreational advantages of the New England states, and also may expend such sums as may be appropriated by the general court to carry out the purpose of this and the two preceding sections. *Approved May 29, 1937.* Researches,
etc.

AN ACT FURTHER DEFINING THE POWERS AND DUTIES OF THE MILK CONTROL BOARD. Chap.428

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience. Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter three hundred and seventy-six of the acts of nineteen hundred and thirty-four is hereby amended by striking out the paragraph containing the definition of "Store" and inserting in place thereof the following:—

"Store" includes a grocery store, dairy products store or any similar mercantile establishment at which milk is sold for consumption off the premises.

SECTION 2. Said chapter three hundred and seventy-six is hereby further amended by striking out section eleven and inserting in place thereof the following:— *Section 11.* Whoever violates any provision of this act or of any rule, regulation or order of the board lawfully made thereunder, except as herein otherwise expressly provided, shall be punished by a fine of not more than one hundred dollars or

by imprisonment for not more than one year, or both, and such fine may be imposed for each day during which such violation shall continue. A violation of any provision of this act may be reported to the board by any person and every such complaint shall be acted upon by the board, which may institute such action at law or in equity as may be necessary to enforce compliance with any provision of this act or any rule, regulation or order of the board made thereunder, and, in addition to any other remedy, may seek relief by injunction, if in the opinion of the board necessary to protect the public interest, without being compelled to allege or prove that an adequate remedy at law does not exist.

SECTION 3. Section twelve of said chapter three hundred and seventy-six is hereby amended by striking out the last sentence of paragraph (A), including the paragraphs in said sentence numbered (1) and (2) and inserting in place thereof the following: — The board, provided it shall first determine that such action will not adversely affect market conditions relative to milk, may by its order exempt from the operation of all or any portion of this act any milk dealer who purchases milk from a licensed milk dealer or dealers, and whose only sales of milk are at a store or stores.

SECTION 4. Said section twelve of said chapter three hundred and seventy-six is hereby further amended by striking out paragraph (D) and inserting in place thereof the following paragraph: —

(D) The board may decline to grant or renew a license or may suspend or revoke a license already granted or may grant conditional or temporary licenses, upon due notice and opportunity of hearing to the applicant or licensee; except that the board may decline to grant or renew a license, without opportunity of hearing to the applicant or licensee, upon due notice, where the license of the applicant has been refused or revoked for cause within the next preceding license year. The board may decline to grant or renew a license or may suspend or revoke a license already granted, upon due notice and opportunity of hearing to the applicant or licensee, when it is satisfied of the existence of any of the following reasons: —

(1) That he has without reasonable cause refused to accept or refused to pay for milk purchased by him from a producer, or has without reasonable cause or reasonable advance notice refused to accept or refused to pay for milk delivered to him by or on behalf of a producer in ordinary continuance of a previous course of dealing, except where the contract has been lawfully terminated;

(2) That in any instance he has failed without reasonable cause to account and make payment for milk purchased by him;

(3) That he has committed any act or engaged in any course of conduct tending to reduce the price of pure milk to such an extent as to interfere with the supply thereof produced in the commonwealth, which supply is hereby

declared to be necessary for the public health, public welfare and trade and commerce;

(4) That he has engaged in a course of action which, in the opinion of the board, indicates his inability or unwillingness properly to conduct the business of a milk dealer;

(5) That he has been, or is, a party to a combination to fix or maintain prices contrary to any provision of this act;

(6) That he has engaged in a course of action such as to satisfy the board of an intent on his part to deceive or defraud customers, producers or consumers;

(7) That he has failed to keep records, or has failed to furnish the statements or information required by the board under any provision of this act;

(8) That any statement made by him in reliance upon which, to any degree, his license as a milk dealer was granted, has been found to have been false or fraudulent in any material particular;

(9) That such applicant or milk dealer, or, in the event that such applicant or milk dealer is a partnership or corporation, that any person owning any substantial interest, or having any power or control, in such partnership or corporation, has within three years been responsible, in whole or in part, for any act on account of which a license might be denied, suspended or revoked pursuant to any provision of this act;

(10) That the bond or other evidence of financial responsibility required of an applicant is unsatisfactory to the board;

(11) That he knowingly purchased, processed or handled milk for sale within the commonwealth obtained from a dairy farm or dealer not registered under sections sixteen A to sixteen G inclusive, of chapter ninety-four of the General Laws or from a dealer not licensed under section forty-one of said chapter or sold to or processed or handled for a dealer not so registered or not so licensed;

(12) That he knowingly purchased, processed or handled milk for sale within the commonwealth in violation of any of the applicable laws, or of the rules and regulations or requirements of the board or of the local board of health; or

(13) That he has violated any provision of this act or any rule, regulation or order of the board made under authority thereof.

SECTION 5. Said section twelve of said chapter three hundred and seventy-six is hereby further amended by striking out paragraph (F) and inserting in place thereof the two following new paragraphs:—

(F) The supreme judicial court, upon petition of an applicant or licensee aggrieved by any decision of the board, filed within twenty days after such decision, may revise or reverse such decision if satisfied that the same was clearly wrong; but prior to the entry of a decree of revision or reversal no order shall be made by the court to stay or supersede any revocation or cancellation of any license unless it shall be made to appear to the court that such license was revoked

only upon one or both of the following grounds, viz.:— failure of a milk dealer to make payments under section thirteen or failure of such a dealer to furnish statements or information required by the board.

(G) Any licensee whose license has been revoked or cancelled shall upon notice thereof forthwith deliver and return said license to any member of the board, or to any authorized representative of the board or to the administrator or at the offices of the board.

SECTION 6. Said chapter three hundred and seventy-six is hereby further amended by striking out section thirteen and inserting in place thereof the following:— *Section 13.* Each milk dealer licensed under this act shall annually pay a license fee, in an amount to be determined by the board, but not more than five dollars, and each such milk dealer, other than one who is also a producer, selling to consumers not more than fifty quarts of milk daily, shall, on or before the tenth day of each month, pay to the board, for the month immediately preceding, such an amount, equivalent to not more than two cents per hundred weight of the milk distributed or sold by him during such month in any market or markets subject to this act, irrespective of where such milk was produced, as the board deems equitable for such market or markets. One half of any such payment by any milk dealer may be deducted rateably by him from amounts due from him to producers for such milk. In case the same milk is handled by more than one milk dealer, the first milk dealer within the commonwealth, dealing in, or otherwise handling said milk in any manner described under the definition of "milk dealer" in section three, shall be deemed to be the milk dealer within the meaning of this section. This section shall be construed as applying to sales organizations, co-operative agents, producers and milk dealers for the handling or distributing of milk in any form, it being intended that, regardless of any circumstance, where milk is first received, or is first sold, or is first handled in any form, within the commonwealth, the person so handling other than a common carrier or contract carrier who performs no act other than the transportation and movement of said milk shall be deemed to be the first milk dealer.

SECTION 7. Said chapter three hundred and seventy-six is hereby further amended by striking out section fourteen and inserting in place thereof the following:— *Section 14.* (A) Licensees, their affiliates and subsidiaries, shall severally, from time to time, furnish to the board such information as it may request, upon and in conformity to forms of reports to be supplied by the board, for the purpose of enabling the board to ascertain and determine the extent to which this act and the orders, rules and regulations made by the board thereunder are being obeyed, and the purposes thereof carried out. All such reports shall be verified by the informant by oath or by written declaration that they are made under the penalties of perjury.

(B) No milk dealer shall discriminate by selling or offering to sell milk to certain purchasers at a price lower than that for which milk is sold or offered for sale to other purchasers purchasing on a similar basis as to grade, quality and quantity, in any market established by the board, for the purpose of destroying competition of any regularly established milk dealer, or preventing the competition of any person, firm or corporation, who or which in good faith intends and attempts to become a milk dealer.

(C) The prohibition against locality discrimination contained in the preceding paragraph shall be deemed to include and prohibit any scheme of rebates, refunds, commissions or discounts, whether in the form of money or otherwise, or in the form of extending to certain purchasers special services or privileges not extended to all other purchasers.

(D) Any person who, either as director, officer, agent or servant of any person, firm or corporation engaged in the business of a milk dealer, assists or aids, directly or indirectly, in any violation of paragraph (B) or paragraph (C) of this section shall be equally guilty with the person, firm or corporation for whom or which he so acts.

(E) Any person, firm or corporation, whether as principal, agent or servant, violating any provision of said paragraph (B) or said paragraph (C) shall be punished by a fine of not less than fifty nor more than two hundred dollars.

SECTION 8. Said chapter three hundred and seventy-six is hereby further amended by striking out section sixteen and inserting in place thereof the following:— *Section 16.* (A) No sale of milk by a co-operative association, corporation or sales agency to a milk dealer in any marketing area shall be made at less than the applicable minimum prices, terms and conditions of sale as set forth in the orders of the board for milk bought directly from producers who are non-members of a co-operative association, corporation or sales agency.

(B) When the net return to be made for milk by a co-operative association, corporation or sales agency to its members is below the net applicable return for milk as fixed by the orders of the board for a non-member of a co-operative association, corporation or sales agency, said co-operative association, corporation or sales agency shall submit in writing to the board a full and complete statement in detail, setting forth the amount of the deductions which have been made from the fixed minimum prices of the board and, in addition, a detailed statement of such deductions shall accompany every such payment to the member.

SECTION 9. Section seventeen of said chapter three hundred and seventy-six is hereby amended by striking out, in the fifth line, the word "current" and inserting in place thereof the word:—concurrent,—so as to read as follows:— *Section 17.* The board may confer with legally constituted authorities of other states and of the United States with respect to uniform milk control within the several states and among such states; may conduct joint investigations,

hold joint hearings and issue joint or concurrent orders; and may enter into one or more compacts for such uniform milk control, subject to such federal approval as may be authorized or required by law.

SECTION 10. Said chapter three hundred and seventy-six is hereby further amended by striking out section twenty.

SECTION 11. Notwithstanding any provision of this act, the superior court shall retain jurisdiction of all appeals, pending therein on the effective date of this act, under the provisions of paragraph (F) of section twelve of said chapter three hundred and seventy-six, as in effect immediately prior to said date.

Approved May 29, 1937.

Chap. 429

AN ACT REGULATING INDUSTRIAL HOMEWORK.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public health and convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 149,
§§ 143-147A,
stricken out,
and §§ 143-
147H, inserted.

Chapter one hundred and forty-nine of the General Laws is hereby amended by striking out sections one hundred and forty-three to one hundred and forty-seven, inclusive, and the heading above said section one hundred and forty-three, all as appearing in the Tercentenary Edition, and section one hundred and forty-seven A, as inserted by chapter two hundred and thirty-four of the acts of nineteen hundred and thirty-two, and inserting in place thereof, under the heading INDUSTRIAL HOMEWORK, the following thirteen new sections: — *Section 143.* The following words, as used in this section and in sections one hundred and forty-four to one hundred and forty-seven H, inclusive, unless the context otherwise requires, shall have the following meanings:—

Definitions.

“Employer”, any person who, directly or indirectly or through an employee, agent, independent contractor or any other person, delivers to another person any materials or articles to be manufactured in a home and thereafter to be returned to him for use other than the personal use of himself or of a member of his family.

“Home”, any room, house, apartment or other premises, whichever is most extensive, used in whole or in part as a place of dwelling.

“Industrial homework”, any manufacture in a home of materials or articles for an employer.

The verb “to manufacture”, as used in its different moods and tenses, includes to prepare, alter, repair or finish in whole or in part.

Manufacture
of certain
goods, etc.,
at home,
prohibited.

Section 144. The manufacture of any of the following by industrial homework shall be unlawful, and no permit issued under section one hundred and forty-seven or certificate issued under section one hundred and forty-seven A shall be deemed to authorize such manufacture or the delivery

of materials for such manufacture: tobacco; drugs and poisons; bandages and other sanitary goods; explosives, fireworks and articles of like character; articles, the manufacture of which by industrial homework is determined by the commissioner, after investigation and hearing in the manner provided by sections one hundred and forty-five and one hundred and forty-six to be injurious to the health or welfare of the industrial homeworkers within the industry or to render unduly difficult the maintenance of existing labor standards or the enforcement of labor standards established by law or regulation for factory workers in the industry.

Section 145. The commissioner may, and on petition of Investigations. fifty or more residents of the commonwealth shall, make or cause to be made an investigation of any industry which employs industrial homeworkers, in order to determine whether the wages and conditions of employment of industrial homeworkers in such industry are injurious to their health and welfare, or whether the wages and conditions of employment of such industrial homeworkers have the effect of rendering unduly difficult the maintenance of existing labor standards or the enforcement of labor standards established by law or regulation for factory workers in the industry. If, on the basis of information in his possession, with or without an investigation as provided in this section, the commissioner shall find that industrial homework cannot be continued within a certain industry without injuring the health and welfare of the industrial homeworkers within such industry, or without rendering unduly difficult the maintenance of existing labor standards or the enforcement of labor standards established by law or regulation for factory workers in such industry, the commissioner shall by order declare such industrial homework unlawful and require all employers in such industry to discontinue the furnishing within the commonwealth of material for industrial homework, and no permit issued under section one hundred and forty-seven shall be deemed thereafter to authorize the furnishing of materials for industrial homework prohibited by such order.

Section 146. Before making such order the commissioner Hearings. shall hold a public hearing or hearings at which an opportunity to be heard shall be afforded to any employer, or representative of employers, and any industrial homeworker, or representative of industrial homeworkers, and any other person or persons, having an interest in the subject matter of the hearing. At least thirty days before any such hearing is held public notice thereof shall be given in such manner as may be determined by the commissioner. Such hearing or hearings shall be held in such place or places as the commissioner shall deem most convenient to the employers and industrial homeworkers to be affected by such order. The commissioner shall determine the effective date of such order, which date shall be not less than ninety days after the date of its promulgation.

Permits
to deliver
materials.

Section 147. No materials for manufacture by industrial homework shall be delivered to any person in the commonwealth unless the employer so delivering them, or his agent if the employer is not a resident of this commonwealth, has in his possession a valid permit issued by the commissioner under authority of this section, hereinafter and in sections one hundred and forty-seven A to one hundred and forty-seven H, inclusive, called an employer's permit. Such permit shall be issued by the commissioner upon payment of a fee of fifty dollars and, subject to the last sentence of section one hundred and forty-five, shall be valid for a period of one year from the date of its issuance, unless sooner revoked or suspended. Application for such permit shall be made in such form as the commissioner may from time to time by rule or regulation prescribe. No employer shall deliver or cause to be delivered any materials or articles for manufacture by industrial homework to a person who is not in possession of a valid employer's permit, or a homeworke's certificate issued in accordance with this or the following section. The commissioner may revoke or suspend an employer's permit if he finds that the employer has violated any provision of sections one hundred and forty-four to one hundred and forty-seven H, inclusive, or has failed to observe or comply with any provision of his permit.

Certificates
for homework
required.

Section 147A. No person shall engage in industrial homework within the commonwealth unless he has in his possession a valid certificate issued to him by the commissioner under authority of this section, hereinafter and in sections one hundred and forty-seven B to one hundred and forty-seven H, inclusive, called a homeworke's certificate. Such certificate shall be issued by the commissioner without cost and shall be valid for a period of one year from the date of its issuance, unless sooner revoked or suspended. Application for such certificate shall be made in such form as the commissioner may from time to time by rule or regulation prescribe. Such certificate shall be valid only for work performed by the applicant himself in his own home. No homeworke's certificate shall be issued to any person under the age of fourteen years, or to any person suffering from an infectious, contagious or communicable disease or living in a home that is not clean, sanitary and free from infectious, contagious or communicable disease. The commissioner may revoke or suspend any homeworke's certificate if he finds that the holder thereof is performing industrial homework contrary to the conditions under which the certificate was issued or in violation of any pertinent provision of sections one hundred and forty-four to one hundred and forty-seven H, inclusive, or has permitted any person not holding a valid homeworke's certificate to assist him in performing his industrial homework.

Materials,
etc., to be
labeled.

Section 147B. No employer shall deliver or cause to be delivered to any person any materials or articles to be manufactured by industrial homework unless there has been con-

spicuously affixed to each article or, if impossible so to affix, then to the package or other container in which such goods are delivered or are to be kept, a label or other mark of identification bearing the employer's name and address, printed or written legibly in English.

Section 147C. Any article which is being manufactured in a home in violation of any provision of sections one hundred and forty-four to one hundred and forty-seven H, inclusive, may be removed by the commissioner and may be retained by him until claimed by the employer. The commissioner shall give notice, by registered mail, of such removal to the person whose name and address are affixed to the article, package or container as provided in section one hundred and forty-seven B. Unless the article so removed is claimed within thirty days following the giving of such notice, it may be destroyed or otherwise disposed of. Penalty.

Section 147D. No person in possession of an employer's permit shall deliver or receive, or cause to be delivered or received, any articles for or as a result of industrial homework unless he shall keep in such form, and forward to the commissioner at such intervals as the commissioner may by rule or regulation prescribe and on such blanks as he may provide, a record of all persons engaged in industrial homework on materials furnished or distributed, or caused to be furnished or distributed, by such person, of all places where such persons work, of all articles which such persons have manufactured, of the net cash wages received by each industrial homemaker, of all agents or contractors to whom such permittee has furnished materials to be manufactured by industrial homework, and of all persons from whom he has received materials to be so manufactured. Records to be filed with commissioner.

Section 147E. The department shall make rules and regulations for the enforcement of sections one hundred and forty-four to one hundred and forty-seven H, inclusive. Violation of any such rule or regulation shall be punished as provided in section one hundred and forty-seven G. The commissioner and the authorized representatives of the department shall make all inspections and investigations necessary for the enforcement of said sections. Rules and regulations.

Section 147F. In making any investigation or examination under authority of any provision of sections one hundred and forty-four to one hundred and forty-seven H, inclusive, the commissioner or his duly authorized representative may require the attendance and testimony of witnesses and the production of books, papers, contracts and documents relating thereto. Witnesses shall be summoned in the same manner and shall be paid the same fees as witnesses before the superior court in civil cases. The commissioner or any such representative may administer oaths to witnesses or take their affirmation. If any person summoned and paid as a witness refuses to attend, or to be sworn or to affirm, or to answer any question, or to produce any book, contract, document or paper pertinent to the matter before the com- Witnesses may be summoned, etc.

missioner or such representative, a justice of the supreme judicial or the superior court, upon application by said commissioner or such representative, may issue an order requiring such person to appear before said commissioner or representative, and to produce his books, contracts, documents and papers and to give evidence relating to the matter in question. Upon application by the commissioner or such representative, commissions to take depositions of persons without the commonwealth may be issued by a justice of the supreme judicial or the superior court, to be used in hearings before the commissioner or such representative, and all laws and rules relating to such commissions in civil actions shall apply to commissions issued hereunder.

General
penalties.

Section 147G. In addition to any penalties otherwise prescribed in sections one hundred and forty-four to one hundred and forty-seven H, inclusive, any employer who, without having in his possession a valid employer's permit, delivers or causes to be delivered to another person any materials for manufacture by industrial homework, or who refuses to allow the commissioner or his authorized representative to enter his place of business for the purpose of making any investigation authorized by any provision of said sections one hundred and forty-four to one hundred and forty-seven H, inclusive, or necessary to carry out any provision thereof, or who refuses to permit the commissioner or his authorized representative to inspect or copy the pay roll or other records or documents relating to the enforcement of said sections, or who falsifies such records or documents or any statement which he is required by the commissioner or said representative, acting under authority of said sections, to make, or who otherwise violates any provision of said sections or any provision of his permit, shall be punished by a fine of fifty dollars, or by imprisonment for not more than two months, or both.

Application
of sections
limited.

Section 147H. The provisions of sections one hundred and forty-three to one hundred and forty-seven G, inclusive, shall not apply to organizations incorporated in the commonwealth for educational or philanthropic purposes, or to homework performed under the supervision of the division of the blind in the department of education. Persons doing work for such organizations shall not be required to have a certificate to permit them to do such work.

Approved May 29, 1937.

Chap. 430 AN ACT FURTHER REGULATING THE HOURS DURING WHICH THE OFFICES OF STATE DEPARTMENTS SHALL BE OPEN FOR THE TRANSACTION OF BUSINESS.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter thirty of the General Laws is hereby amended by striking out section twenty-four, as appearing in the Tercentenary Edition, and inserting in place thereof the following: — *Section 24.* The offices of all the departments of the state government shall be open to the public for the transaction of business daily, on days other than Sundays and legal holidays, from nine o'clock in the forenoon until five o'clock in the afternoon, except that on Saturdays beginning with the second Saturday in September and ending with the next to the last Saturday in May they may be closed at twelve o'clock noon and that on Saturdays beginning with the last Saturday in May and ending with the first Saturday in September they may be closed all day. When the day or the last day for the performance of any act, including the making of any payment or tender of payment, authorized or required to be performed at the office of any such department falls on a Saturday when such office is closed under authority of this section, the act may be performed on the next succeeding business day.

G. L. (Ter. Ed.), 30, § 24, amended.

Office hours of state departments.

Approved May 29, 1937.

AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO SELL AND CONVEY TO THE CORPORATION NOW OR FORMERLY KNOWN AS THE EDISON ELECTRIC ILLUMINATING COMPANY OF BOSTON CERTAIN LAND NEAR THE FORE RIVER BRIDGE, SO CALLED.

Chap. 431

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Emergency preamble.

Be it enacted, etc., as follows:

The department of public works, acting for and in behalf of the commonwealth, may, subject to the approval of the governor and council, sell and convey for value to the corporation now or formerly known as The Edison Electric Illuminating Company of Boston any interest, less than fee, in lands, acquired by the commonwealth under chapter three hundred and forty-eight of the acts of nineteen hundred and thirty-three, and may abandon any such interest in the lands acquired as aforesaid; provided, that, in the opinion of said department, such interest in land is no longer needed for the purposes for which acquired.

Approved May 29, 1937.

Chap. 432 AN ACT PROVIDING FOR THE RECONSTRUCTION OF A BRIDGE
AND ITS APPROACHES OVER THE MYSTIC RIVER IN THE CITY
OF MEDFORD AND THE TOWN OF ARLINGTON.

Be it enacted, etc., as follows:

SECTION 1. Subject to the provisions of this act, the metropolitan district commission, hereinafter referred to as the commission, shall lay out and construct a bridge and the highway approaches thereto, over the Mystic river at Harvard street in the city of Medford and at River street in the town of Arlington, and in connection therewith may lay out, alter, prescribe and specify the bridge and highway approaches thereto in said city and in said town, for a distance, measured from the abutments of the bridge, not exceeding three hundred and sixty feet on the Medford side and not exceeding two hundred feet on the Arlington side.

SECTION 2. For the purpose of carrying out the provisions of this act, the commission may acquire by purchase, or by eminent domain under chapter seventy-nine of the General Laws, such lands, and such rights and easements therein, as the commission may deem necessary; provided, that no damages shall be paid for public lands or parks, parkways or reservations so taken. The commission may also make such alterations in connecting ways as may be necessary for carrying out said provisions or any of them.

SECTION 3. The cost of constructing said bridge and land takings for the same, including any damages awarded or paid on account of any taking of land or property therefor, or any injury to the same, and all other expenses incurred in carrying out the provisions of this act, shall not exceed, in the aggregate, seventy-five thousand dollars, seventy per cent of which shall be paid by the commonwealth, subject to appropriation, from the Highway Fund, fifteen per cent shall be paid by the city of Medford and fifteen per cent shall be paid by the town of Arlington.

SECTION 4. For the purpose of making the payments required to be made by the city of Medford and the town of Arlington under this act, each of said municipalities may borrow such sum as may be necessary, and may issue bonds or notes therefor, payable in not more than two years from the dates thereof. Indebtedness incurred by each of said municipalities under this act shall be within the statutory limit, and shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof. Said municipalities may sell the said securities at public or private sale, but not for less than their par value. Said city and town shall each pay to the commission, at such times and in such amounts as they may respectively be directed by the commission so to do, that portion of the cost of the work hereinbefore provided for which is to be paid by said city and said town, other than the proportionate part

of such cost payable on account of its membership in the metropolitan parks district.

SECTION 5. When the work herein authorized shall have been completed, said bridge and the highway approaches thereto shall be under the control of the commission, and the cost of maintenance of said bridge and approaches shall be assessed upon the municipalities of the metropolitan parks district in proportion to the respective taxable valuations of the property of said municipalities as defined by section fifty-nine of chapter ninety-two of the General Laws.

SECTION 6. This act shall take effect upon its passage.

Approved May 29, 1937.

AN ACT RELATIVE TO THE CONSTRUCTION OF ADDITIONAL SEWERS IN THE NORTH METROPOLITAN SEWERAGE DISTRICT.

Chap. 433

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

SECTION 1. Subject to the conditions hereinafter imposed, the metropolitan district commission is hereby authorized and directed to construct a main sewer or sewers, with sewer connections and other works, in the valleys of the Mystic river and its tributaries, and through other territory in the cities of Medford, Everett and Chelsea and in the East Boston district of the city of Boston from a point at the present terminus of the north metropolitan relief sewer in said city of Medford, thence in a general easterly direction to the vicinity of the present Chelsea creek, and, for such purposes, may exercise all the powers conferred upon it by chapter ninety-two of the General Laws relative to the construction, maintenance and operation of systems of sewage disposal. For the purpose of carrying out said project, including any expenditures on account of the purchase or taking of land or damages to land occasioned by the construction hereinbefore provided for, the said commission may expend sums not exceeding, in the aggregate, four million, five hundred thousand dollars, of which not more than two million, seven hundred thousand dollars shall ultimately be borne by the commonwealth, said project to be entered into only on the basis of grants of federal money. If the maximum available grant shall be less than forty per cent of the total cost of the project as hereinbefore described, then, subject to the conditions hereinafter imposed, that portion of the project shall be constructed, the cost of which shall not exceed the appropriation herein provided plus such available grant.

SECTION 2. Said project shall not be entered into unless it is approved, as hereinafter provided, by the emergency

public works commission, established under section one of chapter three hundred and sixty-five of the acts of nineteen hundred and thirty-three, and by the governor. Said emergency public works commission shall, in addition to the powers and duties heretofore conferred and imposed upon it, exercise and perform the powers and duties hereinafter conferred or imposed upon it, and the provisions of said section which relate to action by said commission shall apply in the case of action under this act. Said project, when so approved, shall be carried out in all respects subject to the provisions of the appropriate federal law providing for construction of projects of that class, and the rules and regulations made pursuant thereto, and to such terms, conditions, rules and regulations, not inconsistent with such federal laws and rules and regulations, as said commission may establish, with the approval of the governor, to ensure the proper execution of said project. The commonwealth may accept and use for carrying out said project so approved any grant of federal funds under any federal law, authority to make application therefor being hereby granted to the said emergency public works commission. For the purpose only of carrying out said project, the state treasurer may from time to time borrow, on the credit of the commonwealth, such sums, not exceeding, in the aggregate, two million seven hundred thousand dollars, and may issue in one or more series bonds, notes, or other forms of written acknowledgment of debt, hereinafter referred to as obligations. Each series shall carry such rates of interest as the state treasurer may fix, with the approval of the governor, and shall be payable serially in such amounts and at such times as the state treasurer may determine, with the approval of the governor; provided, that the principal payments of each series shall be made annually in amounts as nearly equal as may be. The obligation last payable of any series issued for the purpose of carrying out said project shall become due not later than such number of years from the date of the obligations of such series as the governor may recommend to the general court in accordance with section 3 of Article LXII of the Amendments to the constitution of the commonwealth.

All obligations issued under this act shall be signed by the state treasurer and approved by the governor.

All obligations issued under this act shall be payable, as to both principal and interest, in such funds as are, on the respective dates of payment of such principal and interest, legal tender for the payment of debts due the United States of America.

All interest payments and payments on account of principal on such obligations, and the cost of maintenance and operation of the sewerage works constructed hereunder, shall be deemed to be, and shall be paid as, a part of the interest, sinking fund or serial bond requirements and costs specified in chapter four hundred and thirty-nine of the acts of eighteen hundred and eighty-nine and acts in amendment thereof

and in addition thereto and affecting the same, and shall be apportioned, assessed and collected in the manner provided by the provisions of chapter ninety-two of the General Laws relative to the north metropolitan sewerage system.

SECTION 3. No payment shall be made or obligation incurred for the carrying out of said project upon its approval by the said emergency public works commission and the governor and its approval for federal aid by the proper federal authorities, until plans and specifications therefor have been approved by the said commission, unless otherwise provided by such rules or regulations as the said commission may make.

SECTION 4. The state treasurer shall receive all moneys granted to the commonwealth for the purpose of carrying out the project authorized under this act. Payment from the state treasury for expenditures incurred under this act shall be made upon vouchers filed with the comptroller in accordance with the procedure prescribed under section eighteen of chapter twenty-nine of the General Laws, and all other provisions of said chapter twenty-nine shall apply in the case of the project undertaken under this act or any expenditure necessary for carrying out the purposes hereof, except in so far as such provisions of law may be in conflict with applicable federal laws and regulations.

SECTION 5. The metropolitan district commission shall have, in addition to any powers expressly given by statute, such powers as may be determined and certified by the said emergency public works commission to be proper and reasonably necessary to carry out said project, including the power to take property by eminent domain on behalf of the commonwealth. The said emergency public works commission is hereby authorized to make any necessary orders, rules and regulations, and perform all necessary actions under this act; and none of such orders, rules, regulations and actions shall be declared inoperative, illegal or void for any omission of a technical nature in respect thereto.

SECTION 6. The authority given to the state treasurer by chapter three hundred and ninety-two of the acts of nineteen hundred and thirty-five to borrow in anticipation of the payment of grants by the federal government is hereby extended to such grants as may be authorized for the project provided for in this act.

SECTION 7. If a grant of federal money for the foregoing purposes is not received on or before September thirtieth, nineteen hundred and thirty-seven, the foregoing sections shall be inoperative and, on and after October first, nineteen hundred and thirty-seven, the metropolitan district commission shall make borings and prepare plans and specifications for the construction of a main sewer or sewers with sewer connections and other works, in the valleys of the Mystic river and its tributaries, and through other territory in the cities of Medford, Everett and Chelsea and in the East Boston district of the city of Boston from a point at

the present terminus of the north metropolitan relief sewer in Medford, thence in a general easterly direction to the vicinity of the Chelsea creek. For the purpose of carrying out said work the said commission may expend a sum not exceeding two hundred and seventy thousand dollars.

SECTION 8. For the purpose of carrying out the work as provided by section seven the state treasurer may from time to time borrow, on the credit of the commonwealth, sums, not exceeding, in the aggregate, two hundred and seventy thousand dollars, and may issue in one or more series bonds, notes or other forms of written acknowledgment of debt, hereinafter referred to as obligations. Each series shall carry such rates of interest as the state treasurer may fix, with the approval of the governor, and shall be payable serially in such amounts and at such times as the state treasurer may determine, with the approval of the governor; provided, that the principal payments of each series shall be made annually in amounts as nearly equal as may be. The obligation last payable of any series issued for the purpose of carrying out said project shall become due not later than such number of years from the date of the obligations of such series as the governor may recommend to the general court in accordance with section 3 of Article LXII of the Amendments to the constitution of the commonwealth. All obligations issued under this act shall be signed by the state treasurer and approved by the governor. All obligations issued under this section shall be payable, as to both principal and interest, in such funds as are, on the respective dates of payment of such principal and interest, legal tender for the payment of debts due the United States of America. All interest payments and payments on account of principal on such obligations shall be deemed to be, and shall be paid as, a part of the interest, sinking fund or serial bond requirements and costs specified in chapter four hundred and thirty-nine of the acts of eighteen hundred and eighty-nine and acts in amendment thereof and in addition thereto and affecting the same, and shall be apportioned, assessed and collected in the manner provided by the provisions of chapter ninety-two of the General Laws relative to the north metropolitan sewerage system.

SECTION 9. The metropolitan district commission shall have, in addition to any powers expressly given by statute, such powers as may be proper and reasonably necessary to carry out said preparation of plans, specifications and borings. The said commission is authorized to make all necessary orders, rules and regulations, perform all necessary actions under section seven; and none of such orders, rules, regulations and actions shall be declared inoperative or void for any omission of a technical nature in respect thereto.

Approved May 29, 1937.

AN ACT IN ADDITION TO THE GENERAL APPROPRIATION ACT *Chap.434*
 MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS
 CONTAINED THEREIN, AND FOR CERTAIN NEW ACTIVITIES
 AND PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items Supplementary appropriation act.
 in the general appropriation act, and for certain new activi-
 ties and projects, the sums set forth in section two, for the
 particular purposes and subject to the conditions stated
 therein, are hereby appropriated from the general fund or
 ordinary revenue of the commonwealth, unless some other
 source of revenue is expressed, subject to the provisions of
 law regulating the disbursement of public funds and the
 approval thereof.

SECTION 2.

Service of the Legislative Department.

Item		
1	For the compensation of senators, a sum not exceeding four hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$400 00
10	For clerical assistance, office of the sergeant-at-arms, a sum not exceeding sixty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	60 00
18a	For services and expenses to revise the election laws of the commonwealth under the supervision of the counsel to the senate and the counsel to the house of representatives, a sum not exceeding fifteen hundred dollars	1,500 00
19	For personal services of the counsel to the house of representatives and assistants, a sum not exceeding thirty-seven hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	3,700 00
22b	For expenses of the joint special committee established for the purpose of making an investigation relative to the Commonwealth Mutual Liability Insurance Company, a sum not exceeding eighty-five hundred dollars	8,500 00
22c	For travel of the committee on public welfare, as authorized by an order of the general court, a sum not exceeding two thousand dollars	2,000 00
32	For contingent expenses of the senate and house of representatives, and necessary expenses in and about the state house, with the approval of the sergeant-at-arms, a sum not exceeding six hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose. Upon certification by the sergeant-at-arms, the comptroller may reimburse for uniforms purchased during the current year prior to May first	600 00
36a	For services and other expenses of the special commission on taxation and public expenditures, authorized by chapter three of the resolves of the current year, a sum not exceeding fifty thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	50,000 00
	Total	\$66,760 00

Service of the Judicial Department.

Item

	Reporter of Decisions:	
46	For clerk hire and office supplies, services and equipment, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$1,000 00
	For clerical assistance to Registers of the several counties, as follows:	
72	Hampden, a sum not exceeding three hundred and ninety dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	390 00
73	Hampshire, a sum not exceeding four hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	450 00
	Total	\$1,840 00

Service of the Executive Department.

98	For the salaries of officers and employees of the department, a sum not exceeding eleven hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	\$1,100 00
99	(This item omitted.)	
100	For travel and expenses of the lieutenant governor and council from and to their homes, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	500 00
107a	For expenses of the special commission appointed to prepare plans and programs for the proper celebration of the one hundred and fiftieth anniversary of the formation of the Constitution of the United States, authorized by chapter seventy-three of the resolves of nineteen hundred and thirty-six, a sum not exceeding three thousand dollars	3,000 00
	Total	\$4,600 00

Service of the Adjutant General.

111	For expenses of the national guard convention and for expenses not otherwise provided for in connection with military matters and accounts, a sum not exceeding eight hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$850 00
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Service of the Militia.

112	For allowances to companies and other administrative units, a sum not exceeding seven hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	\$750 00
113	For the cost of materials and equipment and incidental expenses of training persons in the use of chemical gas, a sum not exceeding four thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	4,000 00
124	For compensation for special and miscellaneous duty, a sum not exceeding seven hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	750 00

Item		
127a	For services and expenses of the military reservation located in Barnstable county, a sum not exceeding twenty-five hundred dollars . . .	\$2,500 00
129	For instruction in military authority, organization and administration, and in the elements of military art, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	1,500 00
131	For expenses of operation of the twenty-sixth division, a sum not exceeding seven hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	750 00
	Total	<hr/> \$10,250 00

Service of the State Quartermaster.

141	For office and general supplies and equipment, a sum not exceeding twenty-four hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	\$2,400 00
143	For the maintenance of armories of the first class, including the purchase of certain furniture, a sum not exceeding twenty-two hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	2,250 00
145	For expenses of maintaining and operating the Camp Curtis Guild rifle range, a sum not exceeding eleven hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	1,100 00
	Total	<hr/> \$5,750 00

Service of the Commission on Administration and Finance.

152a	For personal services of the bureau of the comptroller, a sum not exceeding six hundred and sixty dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	\$660 00
152b	For personal services of the bureau of the purchasing agent, a sum not exceeding four hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	450 00
152c	For other personal services of the commission, a sum not exceeding fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	50 00
153	For other expenses incidental to the duties of the commission, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	1,500 00
	Total	<hr/> \$2,660 00

Service of the Massachusetts Soldiers' Home.

164	For the maintenance of the Soldiers' Home in Massachusetts, with the approval of the trustees thereof, a sum not exceeding eleven thousand eight hundred dollars, the same to be in addition to certain receipts from the United States government and to any amount heretofore appropriated for the purpose	\$11,800 00
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Service of the Ballot Law Commission.

Item		
167a	For services and expenses of the ballot law commission, a sum not exceeding five hundred dollars	\$500 00

Service of the State Planning Board.

172	For personal services of secretary, chief engineer, and other assistants, a sum not exceeding twenty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$2,500 00
173	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding two thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	2,000 00
Total		\$4,500 00

Service of the Superintendent of Buildings.

180	For personal services of capitol police, a sum not exceeding seventeen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$1,700 00
186	For services, supplies and equipment necessary to furnish heat, light and power, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	5,000 00
187	For other services, supplies and equipment necessary for the maintenance and care of the state house and grounds, including repairs of furniture and equipment, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,000 00
Total		\$7,700 00

Service of the State Racing Commission.

189	For personal services, a sum not exceeding thirty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$3,500 00
190	For other administrative expenses, including rent of offices, travel, and office and incidental expenses, a sum not exceeding seven hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	700 00
Total		\$4,200 00

Service of the Secretary of the Commonwealth.

193	For the salaries of officers and employees holding positions established by law, and other personal services, a sum not exceeding three hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$300 00
195	For postage and expressage on public documents, and for mailing copies of bills and resolves to certain state, city and town officials, a sum not exceeding two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	200 00

Item		
	For matters relating to elections:	
205	For the printing of blanks for town officers, election laws and blanks and instructions on all matters relating to elections, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	\$500 00
206	For furnishing cities and towns with ballot boxes, and for repairs to the same; for the purchase of apparatus to be used at polling places in the canvass and counting of votes; and for providing certain registration facilities, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,000 00
	Total	\$2,000 00

Service of the Treasurer and Receiver-General.

212	For services other than personal, traveling expenses, office supplies and equipment, a sum not exceeding twenty-seven hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$2,750 00
	State Board of Retirement:	
219	For services other than personal, printing the annual report, and for office supplies and equipment, a sum not exceeding six hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	600 00
	Board of Tax Appeals:	
221	For personal services of the members of the board and employees, a sum not exceeding forty-five thousand four hundred and twenty-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	45,425 00
222	For services other than personal, traveling expenses, office supplies and equipment, and rent, a sum not exceeding nine thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	9,000 00
	The appropriations authorized by the two preceding items are hereby made available for services of any board created to continue the work of the board of tax appeals.	
	Total	\$57,775 00

Service of the Emergency Finance Board.

223	For administrative expenses of the emergency finance board, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$5,000 00
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Service of the State Emergency Public Works Commission.

224	For expenses of the board appointed to formulate projects or perform any act necessary to enable the commonwealth to receive certain benefits provided by the National Industrial Recovery Act, a sum not exceeding seventy-six hundred and seventy dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$7,670 00
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Service of the Auditor of the Commonwealth.

Item		
228	For personal services of deputies and other assistants, a sum not exceeding thirteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	\$1,300 00

Service of the Attorney General's Department.

231	For the compensation of assistants in his office, and for such other legal and personal services as may be required, a sum not exceeding six hundred and eighty-two dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$682 00
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Service of the Department of Agriculture.

Milk Control Board:

252	For personal services of members of the board and their employees, a sum not exceeding seven thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$7,000 00
252a	For other administrative expenses of the board for the present and the previous year, including office expenses, rent, travel and special services, a sum not exceeding ninety-seven hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	9,700 00
Total		\$16,700 00

Service of the Department of Conservation.

Division of Forestry:

274	For personal services of the state fire warden, and his assistants, and for other services, including traveling expenses of the state fire warden and his assistants, necessary supplies and equipment and materials used in new construction in the forest fire prevention service, a sum not exceeding six thousand dollars, the same to be in addition to any funds allotted to Massachusetts by the federal authorities, and also in addition to any amount heretofore appropriated under this item	\$6,000 00
275	For the suppression of the gypsy and brown tail moths, and for expenses incidental thereto, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose, and any unexpended balance remaining at the end of the current fiscal year may be used in the succeeding year	5,000 00
276a	For expenses of land purchases previously made, a sum not exceeding eighty-eight hundred ninety-six dollars and fifty-nine cents	8,896 59

Salisbury Beach Reservation:

282	For the maintenance of Salisbury beach reservation, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose and to be assessed upon the cities and towns of the commonwealth, exclusive of those comprising the metropolitan parks district, but including Cohasset, in the man-	
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Item		
	ner provided in section four of chapter one hundred and thirty-two A of the General Laws, as appearing in the Tercentenary Edition thereof . . .	\$5,000 00
282a	For expenses of certain Works Progress Administration projects for improvements at Salisbury beach, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	5,000 00
282b	For settling claims for land taking, with the approval of the attorney general, a sum not exceeding twenty-one hundred dollars . . .	2,100 00
	Propagation of game birds, etc.:	
292	For other maintenance expenses of game farms and fish hatcheries, and for the propagation of game birds and animals and food fish, a sum not exceeding eighty-five hundred and thirty-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	8,535 00
	State Supervisor of Marine Fisheries:	
301	For personal services of the state supervisor of marine fisheries and his assistants, a sum not exceeding three hundred and fifteen dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	315 00
	Total . . .	<hr/> \$40,846 59

Service of the Department of Banking and Insurance.

	Division of Insurance:	
314	For other personal services of the division, including expenses of the board of appeal and certain other costs of supervising motor vehicle liability insurance, a sum not exceeding thirty-five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	\$35,000 00
315	For other services, including printing the annual report, traveling expenses, necessary office supplies and equipment, and rent of offices, a sum not exceeding twenty-four hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	2,450 00
	Total . . .	<hr/> \$37,450 00

Service of the Department of Corporations and Taxation.

	Corporations and Tax Divisions:	
322	For expenses of the department for legal services, evidence and other information relative to a certain domicile case, a sum not exceeding five thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	\$5,000 00
323a	(This item omitted.)	
323b	(This item omitted.)	
	Division of Accounts:	
329	For the administrative expenses of the county personnel board, a sum not exceeding three hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose . . .	300 00
	Total . . .	<hr/> \$5,300 00

Service of the Department of Education.

Item		
332	For personal services of officers, agents, clerks, stenographers and other assistants, but not including those employed in university extension work, a sum not exceeding one hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$150 00
343	For the training of teachers for vocational schools, to comply with the requirements of federal authorities under the provisions of the Smith-Hughes act, so called, a sum not exceeding one hundred and twenty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	120 00
	University Extension Courses:	
351	For personal services, a sum not exceeding seventy-six hundred and twenty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	7,620 00
	Division of the Blind:	
360	For maintenance of Woolson House industries, so called, to be expended under the authority of said division, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	3,000 00
362	For instruction of the adult blind in their homes, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	500 00
	Teachers' Retirement Board:	
366	For personal services of employees, a sum not exceeding sixty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	60 00
	Massachusetts Nautical School:	
371	For personal services of the secretary and office assistants, a sum not exceeding sixty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	60 00
	For the maintenance of and for certain improvements at the state teachers' colleges, and the boarding halls attached thereto, with the approval of the commissioner of education, as follows:	
374	State teachers' college at Bridgewater, a sum not exceeding twenty-two hundred and sixty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	2,260 00
377	State teachers' college at Fitchburg, a sum not exceeding sixteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,600 00
380	State teachers' college at Framingham, a sum not exceeding ten hundred and ten dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,010 00
382	State teachers' college at Hyannis, a sum not exceeding twenty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	2,500 00

Item		
387	State teachers' college at Salem, a sum not exceeding eight hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$800 00
388	State teachers' college at Westfield, a sum not exceeding seventy-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	75 00
390	State teachers' college at Worcester, a sum not exceeding four hundred and sixty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	460 00
392	Massachusetts School of Art, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,000 00
Massachusetts State College:		
397	For maintenance and current expenses of the Massachusetts state college, with the approval of the trustees, a sum not exceeding sixty-eight hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	6,800 00
409a	For the purchase of furnishings for the renovated library building, a sum not exceeding forty-five hundred dollars	4,500 00
Total		\$32,515 00

Service of the Department of Civil Service and Registration.

Division of Civil Service:

412	For other personal services of the division, a sum not exceeding fifty-six hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$5,600 00
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Division of Registration:

415	For clerical and certain other personal services of the division, a sum not exceeding six hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	600 00
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Board of Registration in Embalming and Funeral Directing:

429	For traveling expenses, a sum not exceeding six hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	600 00
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Board of Registration of Barbers:

442	For travel and other necessary expenses, a sum not exceeding twelve hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,200 00
Total		\$8,000 00

Service of the Department of Industrial Accidents.

446	For personal services of secretaries, medical adviser, inspectors, clerks and office assistants, a sum not exceeding ninety dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$90 00
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Service of the Department of Labor and Industries.

Item		
457	For personal services for the division on necessities of life, a sum not exceeding eight hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$800 00
459	For clerical and other assistance for the board of conciliation and arbitration, a sum not exceeding sixty-six hundred and twenty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	6,620 00
460	For other services, printing, traveling expenses and office supplies and equipment for the board of conciliation and arbitration, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,500 00
Total		\$8,920 00

Service of the Department of Mental Diseases.

469	For the support of state charges in the Hospital Cottages for Children, a sum not exceeding thirteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$1,300 00
For the maintenance of and for certain improvements at the following institutions under the control of the Department of Mental Diseases:		
472	Boston psychopathic hospital, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	3,000 00
473	Boston state hospital, a sum not exceeding ninety-three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	93,000 00
476	Danvers state hospital, a sum not exceeding forty-eight thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	48,000 00
479	Foxborough state hospital, a sum not exceeding twenty-three thousand seven hundred and sixty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	23,760 00
482	Gardner state hospital, a sum not exceeding thirty-three thousand one hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	33,100 00
486	Grafton state hospital, a sum not exceeding twenty-seven thousand nine hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	27,900 00
491	Medfield state hospital, a sum not exceeding thirty-one thousand one hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	31,100 00
495	Metropolitan state hospital, a sum not exceeding twenty-four thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	24,000 00

Item		
499	Northampton state hospital, a sum not exceeding twenty-three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$23,000 00
503a	For the purchase and installation of food elevators at the Northampton state hospital, a sum not exceeding thirty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	3,500 00
504	Taunton state hospital, a sum not exceeding twenty thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	20,000 00
506a	For services and materials for use in connection with Works Progress Administration projects at the Taunton state hospital, a sum not exceeding fifteen thousand dollars	15,000 00
506b	For renovating and fireproofing certain wards at the Taunton state hospital previously used for infirmary purposes, a sum not exceeding one hundred thousand dollars	100,000 00
508	Westborough state hospital, a sum not exceeding twelve thousand nine hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	12,900 00
513a	For resurfacing sewer beds at the Westborough state hospital, a sum not exceeding fifty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	5,500 00
514	Worcester state hospital, a sum not exceeding thirty-four thousand eight hundred and sixty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	34,860 00
515a	For the expense of installing a fire alarm system at the Worcester state hospital, a sum not exceeding nine thousand dollars	9,000 00
516	Monson state hospital, a sum not exceeding twenty-two thousand seven hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	22,700 00
520	Belchertown state school, a sum not exceeding sixteen thousand nine hundred and sixty-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	16,965 00
524	Walter E. Fernald state school, a sum not exceeding twelve thousand seven hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	12,700 00
529	Wrentham state school, a sum not exceeding nineteen thousand six hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	19,600 00
	Total	<hr/> \$580,885 00

Service of the Department of Correction.

532	For personal services of deputies, members of the board of parole and advisory board of pardons, agents, clerks and stenographers, a sum not exceeding nine hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$900 00
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Item	For the maintenance of the following institutions, under the control of the Department of Correction, to be in addition to any amounts heretofore appropriated for the purpose:	
539	State farm, a sum not exceeding twenty-one thousand nine hundred and sixty dollars	\$21,960 00
546	State prison, a sum not exceeding ten thousand dollars	10,000 00
547	Massachusetts reformatory, a sum not exceeding thirteen thousand seven hundred dollars, which sum includes one hundred thirty-seven dollars and ten cents for medical attendance on account of injuries received by a certain officer	13,700 00
550	Reformatory for women, a sum not exceeding seven thousand dollars	7,000 00
	Total	<hr/> \$53,560 00

Service of the Department of Public Welfare.

Administration:

558	For personal services of officers and employees, a sum not exceeding six hundred and sixty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$660 00
560	(This item omitted.)	
561	(This item omitted.)	

Division of Aid and Relief:

562	For personal services of officers and employees, a sum not exceeding fifty-one hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	5,100 00
563	For services other than personal, including traveling expenses and office supplies and equipment, a sum not exceeding twelve hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,200 00

Division of Juvenile Training, Trustees of Massachusetts Training Schools:

575	For services of the secretary and certain other persons employed in the executive office, a sum not exceeding two hundred and twenty-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	225 00
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Boys' Parole:

578	For services other than personal, including traveling expenses of the agents and boys, and necessary office supplies and equipment, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	500 00
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Girls' Parole:

581	For traveling expenses of said agents for girls paroled, for board, medical and other care of girls, and for services other than personal, office supplies and equipment, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	500 00
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Item		
	For the maintenance of the institutions under the control of the trustees of the Massachusetts training schools, with the approval of said trustees, and to be in addition to any amounts heretofore appropriated for the purpose, as follows:	
583	Industrial school for boys, a sum not exceeding forty-eight hundred dollars	\$4,800 00
585	Industrial school for girls, a sum not exceeding sixty-six hundred and ninety dollars	6,690 00
587	Lyman school for boys, a sum not exceeding sixty-seven hundred and fifty dollars	6,750 00
	Massachusetts Hospital School:	
589	For the maintenance of the Massachusetts hospital school, to be expended with the approval of the trustees thereof and to be in addition to any amount heretofore appropriated for the purpose, a sum not exceeding five thousand dollars	5,000 00
	State Infirmary:	
591	For the maintenance of the state infirmary, to be expended with the approval of the trustees thereof and to be in addition to any amount heretofore appropriated for the purpose, a sum not exceeding fifty-one thousand seven hundred dollars	51,700 00
	Total	\$83,125 00

Service of the Department of Public Health.

	Service of Adult Hygiene (cancer):	
598	For personal services of the division, including cancer clinics, a sum not exceeding one hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$150 00
	Service of Child and Maternal Hygiene:	
600	For personal services of the director and assistants, a sum not exceeding one hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	150 00
	Veneral Diseases:	
606	For personal services for the control of venereal diseases, a sum not exceeding one hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	150 00
	Water Supply and Disposal of Sewage:	
616	For personal services of directors, engineers, chemists, clerks and other assistants in the division of engineering and the division of laboratories, a sum not exceeding five hundred and seventy dollars, the same to be in addition to any amount heretofore appropriated for the purpose	570 00
	Division of Tuberculosis:	
618	For personal services of the director, stenographers, clerks and other assistants, a sum not exceeding one hundred and ninety-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	195 00

Item		
	For the maintenance of and for certain improvements at the sanatoria, as follows:	
626	Lakeville state sanatorium, a sum not exceeding sixty-seven hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$6,750 00
628	North Reading state sanatorium, a sum not exceeding thirty-three hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	3,300 00
630	For making certain connections to improve the water supply at the North Reading state sanatorium, a sum not exceeding two hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	200 00
633	Rutland state sanatorium, a sum not exceeding forty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	4,500 00
635	Westfield state sanatorium, a sum not exceeding forty-six hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	4,600 00
637c	For maintenance of the service to be initiated at the Westfield state sanatorium for cancer and adult tuberculosis in the group of buildings recently completed, a sum not exceeding thirty-seven thousand three hundred dollars	37,300 00
	Pondville Hospital:	
638	For maintenance of the Pondville hospital, including care of radium, a sum not exceeding sixty-two hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	6,250 00
	Total	\$64,115 00

Service of the Department of Public Safety.

	Administration:	
642	For personal services of clerks and stenographers, a sum not exceeding two hundred and forty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$240 00
643	For contingent expenses, including printing the annual report, rent of district offices, supplies and equipment, and all other things necessary for the investigation of fires and motion picture licenses, as required by law, and for expenses of administering the law regulating the sale and resale of tickets to theatres and other places of public amusement by the department of public safety, a sum not exceeding five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	500 00
	Division of State Police:	
644	For the salaries of officers, including detectives, a sum not exceeding fifty-eight hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	5,800 00
645	For personal services of civilian employees, a sum not exceeding seven hundred and eighty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	780 00

Item		
646	For other necessary expenses of the uniformed division, including traveling expenses of detectives, a sum not exceeding six hundred and ninety-eight dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$698 00
	State Boxing Commission:	
662	For other expenses of the commission, a sum not exceeding fifteen hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,500 00
	Total	<hr/> \$9,518 00

Service of the Department of Public Works.

Functions of the department relating to highways (the following appropriations, except as otherwise provided, are made from the Highway Fund):

667	For the maintenance and operation of the public works building, a sum not exceeding thirty-five hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$3,500 00
672	For the construction and repair of town and county ways, a sum not exceeding two hundred thousand dollars, the same to be in addition to any amount heretofore appropriated therefor	200,000 00
674	For the maintenance and repair of state highways, including care of snow on highways, expenses of traffic signs and lights; for payment of damages caused by defects in state highways, with the approval of the attorney general; for care and repair of road-building machinery; and for the maintenance of a nursery for roadside planting, a sum not exceeding three hundred and fifty thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	350,000 00
675	For the purpose of enabling the department of public works to secure federal aid for the construction and reconstruction of highways, including bridges, a sum not exceeding three hundred and fifty thousand dollars, the same to be in addition to any amount heretofore appropriated therefor	350,000 00
676	For administering the law relative to advertising signs near highways, a sum not exceeding four thousand dollars, to be paid from the General Fund and to be in addition to any amount heretofore appropriated for the purpose	4,000 00
	Registration of Motor Vehicles:	
679	For services other than personal, including traveling expenses, purchase of necessary supplies and materials, including cartage and storage of the same, and for work incidental to the registration and licensing of owners and operators of motor vehicles, a sum not exceeding thirteen thousand dollars, to be paid from the Highway Fund and to be in addition to any amount heretofore appropriated for the purpose	13,000 00
680	(This item omitted.)	
693	(This item omitted.)	
693a	For dredging at or near the public town wharf at Provincetown, a sum not exceeding four thousand dollars	4,000 00

Item		
	Functions of the department relating to Port of Boston (the following items are to be paid from the Port of Boston receipts):	
696	For the supervision and operation of commonwealth pier five, including the salaries or other compensation of employees, and for the repair and replacement of equipment and other property, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$3,000 00
697	For the maintenance of pier one, at East Boston, a sum not exceeding two thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	2,000 00
700	For the cost of inspection of structures in tidewater within Boston harbor, a sum not to exceed three thousand dollars, the same to be in addition to any amount heretofore appropriated therefor	3,000 00
700a	(This item omitted.)	
	Total	\$932,500 00

Service of the Department of Public Utilities.

702	For personal services of secretaries, employees of the accounting department, engineering department, and rate and tariff department, a sum not exceeding ninety dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$90 00
708	For other services, printing the annual report, for rent of offices and for necessary office supplies and equipment, a sum not exceeding eight hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose	800 00
	Total	\$890 00

Miscellaneous.

The following items are to be paid from the Highway Fund, with the approval of the metropolitan district commission:

722	For maintenance of boulevards and parkways, a sum not exceeding fourteen thousand three hundred and ninety-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$14,395 00
724	For expenses of supplies and services necessary for procuring Works Progress Administration funds, a sum not exceeding sixteen thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	16,000 00
726a	For the purchase and erection of tablets for certain bridges, a sum not exceeding fifteen hundred dollars	1,500 00
	Total	\$31,895 00

Unclassified Accounts and Claims.

730	For the compensation of state police officers formerly in the service of the commonwealth, and now retired, a sum not exceeding one hundred twenty-two dollars and fifty-four cents, the same to be in addition to any amount heretofore appropriated for the purpose	\$122 54
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Other Appropriations.

Item		
5	For the salaries of the clerk of the senate and the clerk of the house of representatives, a sum not exceeding eighteen hundred and fifty dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$1,850 00
6	For the salaries of the assistant clerk of the senate and the assistant clerk of the house of representatives, a sum not exceeding thirteen hundred and seventy-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,375 00
83	For the salaries of the district attorney and assistants for the southern district, a sum not exceeding twelve hundred and fifteen dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,215 00
90	For personal services in the examination of titles, for publishing and serving citations and other services, traveling expenses, supplies and office equipment, and for the preparation of sectional plans showing registered land, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,000 00
163a	For expenses of the Grand Army of the Republic, Department of Massachusetts, as authorized by chapter six of the resolves of the present year, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,000 00
163b	For the expense of providing lettering under a certain mural painting relative to disabled veterans, as authorized by chapter eighteen of the resolves of the present year, a sum not exceeding four hundred dollars	400 00
163c	For expense of a mural painting commemorating the sacrifices of World War mothers, as authorized by chapter nineteen of the resolves of the present year, a sum not exceeding five hundred dollars	500 00
366	For personal services for teachers' retirement board, a sum not exceeding eight hundred and twenty-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	825 00
367	For services other than personal for teachers' retirement board, including printing the annual report, traveling expenses, office supplies and equipment, and rent, a sum not exceeding twelve hundred and seventy-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,275 00
417	For personal services of the members of the board of registration in medicine, a sum not exceeding ten hundred and twenty-five dollars, the same to be in addition to any amount heretofore appropriated for the purpose	1,025 00
732	For the compensation of certain public employees for injuries sustained in the course of their employment, for present and previous years, as provided by section sixty-nine of chapter one hundred and fifty-two of the General Laws, as amended, a sum not exceeding twenty thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	20,000 00

Item		
758b	For expenses for diverting the waters of East Wau-shacum pond in the town of Sterling, as author-ized by chapter two hundred and twenty-five of the acts of the present year, a sum not exceeding twenty-five hundred dollars, to be assessed as a part of the cost of the metropolitan water main-tenance	\$2,500 00
36b	For an investigation of the department of mental diseases, as authorized by chapter seven of the resolves of the present year, a sum not exceeding seven thousand dollars	7,000 00
36c	For an investigation relative to the improvement of conditions at Musquashiat pond in the town of Scituate, as authorized by chapter thirteen of the resolves of the present year, a sum not exceeding three thousand dollars	3,000 00
36d	For an investigation relative to the World's Fair, as authorized by chapter seventeen of the resolves of the present year, a sum not exceeding twenty-five hundred dollars	2,500 00
36e	For an investigation relative to dredging and im-proving the channel of the Neponset river, as authorized by chapter twenty-one of the resolves of the present year, a sum not exceeding twenty-two hundred dollars	2,200 00
36f	For an investigation relative to the state contribu-tory system of pensions, as authorized by chapter twenty-six of the resolves of the present year, a sum not exceeding twenty-five hundred dollars	2,500 00
36g	For an investigation relative to rules and regula-tions made by departments of the commonwealth, as authorized by chapter twenty-five of the re-solves of the present year, a sum not exceeding five hundred dollars	500 00
36h	For an investigation relative to the Communistic, Fascist, Nazi and other subversive organizations, as authorized by chapter thirty-two of the resolves of the present year, a sum not exceeding three thousand dollars	3,000 00
36i	For an investigation relative to transportation of property by motor vehicles, as authorized by chapter thirty-three of the resolves of the present year, a sum not exceeding five thousand dollars	5,000 00
36j	For an investigation relative to the promotion and sale of securities, as authorized by chapter thirty-seven of the resolves of the present year, a sum not exceeding fifteen hundred dollars	1,500 00
36k	For certain expenses in connection with the inter-state legislative assembly and the commission on conflicting taxation to be expended in accordance with the provisions of chapter thirty-six of the resolves of the present year, a sum not exceeding one thousand dollars	1,000 00
36l	For an investigation relative to certain laws affecting education, as authorized by chapter thirty-eight of the resolves of the present year, a sum not ex-ceeding fifteen hundred dollars	1,500 00
	Total	<hr/> \$62,665 00

Deficiencies.

Item

For deficiencies in certain appropriations of previous years, in certain items, as follows:

For Exhibition of Fishing Schooner "Gertrude L. Thebaud."

For expenses of an exhibition of the fishing schooner "Gertrude L. Thebaud" at the exposition in Chicago, as authorized by chapter forty-one of the resolves of nineteen hundred and thirty-three, the sum of thirty-one dollars and ninety-seven cents .	\$31 97
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Service of the Adjutant General.

For expenses of the national guard convention and for expenses not otherwise provided for in connection with military matters and accounts, the sum of one hundred ten dollars and eighty-three cents	110 83
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Service of the Militia.

For expenses of maintaining an aero squadron, the sum of eighty-seven dollars and fifty cents	87 50
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Service of the Attorney General's Department.

For the compensation of assistants in his office, and for such other legal and personal services as may be required, the sum of three hundred and seventy-four dollars	374 00
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Service of the Department of Agriculture.

Division of Markets:

For other expenses, the sum of eighty-three dollars and forty-seven cents	83 47
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Service of the Department of Education.

For the reimbursement of certain towns for the payment of tuition of pupils attending high schools outside the towns in which they reside, as provided by law, the sum of thirty-one dollars and fifty cents	31 50
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English-speaking Classes for Adults:

For reimbursement of certain cities and towns, the sum of six hundred forty-eight dollars and seventy-two cents	648 72
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Service of the Department of Public Works.

For the maintenance and repair of state highways, including care of snow on highways, expenses of traffic signs and lights; for payment of damages caused by defects in state highways, with the approval of the attorney general; for care and repair of road-building machinery; and for the maintenance of a nursery for roadside planting, the sum of forty-five dollars and sixteen cents, to be paid from the Highway Fund	45 16
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Item	For the supervision and operation of commonwealth pier five, including the salaries or other compensation of employees, and for the repair and replacement of equipment and other property, the sum of eighty-eight dollars and fifty-nine cents .	\$88 59
	Total	\$1,501 74

Metropolitan District Commission.

The following items are to be assessed upon the several districts in accordance with the methods fixed by law, unless otherwise provided, and to be expended under the direction and with the approval of the metropolitan district commission:

739	For maintenance of the Charles River basin, including retirement of soldiers under the provisions of the General Laws, a sum not exceeding twelve hundred and fifteen dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	\$1,215 00
740	For maintenance of park reservations, including the purchase of land and the retirement of soldiers under the provisions of the General Laws, a sum not exceeding seventy-two hundred and eighty dollars, the same to be in addition to any amount heretofore appropriated for the purpose .	7,280 00
742	For expense of supplies and services necessary for procuring Works Progress Administration funds, a sum not exceeding fourteen thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose and to be assessed as part of the cost of maintenance of parks reservations .	14,000 00
746a	For the cost of repairs for the protection of a certain sea wall at Winthrop, a sum not exceeding four thousand dollars, to be assessed as part of the cost of maintenance of parks reservations .	4,000 00
746b	For the cost of repairs to shelters at Revere beach, a sum not exceeding ten thousand dollars, to be assessed as part of the cost of maintenance of parks reservations .	10,000 00
746c	For extension of sewer at Nahant beach, a sum not exceeding twelve hundred dollars, to be assessed as part of the cost of maintenance of parks reservations and to be in addition to any amount heretofore appropriated for the purpose .	1,200 00
746d	For the cost of renovating the Magazine Beach bath house, so called, a sum not exceeding fifteen thousand dollars, to be assessed as part of the cost of maintenance of parks reservations .	15,000 00
746e	For expenses of making certain investigations authorized by resolves of the present year, a sum not exceeding forty-five hundred dollars, to be assessed as part of the cost of maintenance of parks reservations .	4,500 00
746f	For the cost of repairing storm damages at Revere, Winthrop and Quincy shores, a sum not exceeding two thousand dollars, to be assessed as part of the cost of maintenance of parks reservations .	2,000 00
746g	For the contribution towards the cost of dredging Savin Hill basin, under the direction of the department of public works, a sum not exceeding three thousand dollars, to be assessed as part of the cost of maintenance of parks reservations .	3,000 00

Item		
748	For maintenance of the Nantasket Beach reservation, a sum not exceeding six hundred and ten dollars, the same to be in addition to any amount heretofore appropriated for the purpose	\$610 00
750	For the maintenance and operation of a system of sewage disposal for the north metropolitan sewerage district, a sum not exceeding five hundred and forty dollars, including retirement of soldiers under the provisions of the General Laws, the same to be in addition to any amount heretofore appropriated for the purpose	540 00
754	For the maintenance and operation of a system of sewage disposal for the south metropolitan sewerage district, a sum not exceeding nine hundred and forty-five dollars, including retirement of soldiers under the provisions of the General Laws, the same to be in addition to any amount heretofore appropriated for the purpose	945 00
758a	For the cost of repairs on account of damage to water main on Cross street in the city of Malden, a sum not exceeding ten thousand dollars, to be assessed as a part of the cost of the metropolitan water maintenance	10,000 00
	Total	\$74,290 00
	General and Highway Funds	\$2,163,935 87
	Metropolitan District Commission	76,790 00

SECTION 3. The following amendments and transfers are hereby authorized in appropriations previously made:

Payments to Soldiers.

- Item 215 of chapter two hundred and thirty-four of the acts of the present year is hereby amended by striking out all after the word "dollars" in the fourth line.
- Item 216 of chapter two hundred and thirty-four of the acts of the present year is hereby amended by striking out all after the word "dollars" in the third line.

Massachusetts State College.

The appropriation of three thousand dollars made by Item 394e of chapter four hundred and ninety-seven of the acts of nineteen hundred and thirty-five, for the cost of materials and trucking in connection with the construction of tennis courts, is hereby reappropriated.

Department of Mental Diseases.

- Item 475a of chapter two hundred and thirty-four of the acts of the present year is hereby amended by striking out all after the word "thereto" in the third line and inserting in place thereof the words "for the buildings locally known as East A, B, C, D, E and F and West A, B, C, D, F and G, a sum not exceeding twenty thousand dollars".
- The unexpended balance of the appropriation made by Item 458 of chapter two hundred and forty-nine of the acts of nineteen hundred and thirty-five, for the purchase and erection of a certain iron fence at the Boston state hospital, is hereby reappropriated.
- The unexpended balance of the appropriation made by Item 471 of chapter two hundred and forty-nine of the acts of nineteen hundred and thirty-five, for fire protection at the Gardner state hospital, is hereby reappropriated.

The unexpended balance of the appropriation made by Item 478 of chapter two hundred and forty-nine of the acts of nineteen hundred and thirty-five, for the renovation and improvement of toilets and baths at the Medfield state hospital, is hereby reappropriated, and the appropriation made by Item 492 of chapter two hundred and thirty-four of the acts of the present year is hereby made in addition to the sums heretofore made for the purpose.

Item 483 of chapter three hundred and four of the acts of nineteen hundred and thirty-six is hereby amended by striking out said item and inserting in place thereof the following: "Item 483. For grading and constructing roads within the property of the Metropolitan state hospital, a sum not exceeding twenty thousand dollars. The work of constructing the roads and the letting of the contract shall be done under the supervision of the state department of public works."

Department of Correction.

The unexpended balance of the appropriation made by Item 528 of chapter two hundred and forty-nine of the acts of nineteen hundred and thirty-five, for miscellaneous improvements at the reformatory for women, is hereby reappropriated.

Department of Public Health.

Item 627a of chapter two hundred and thirty-four of the acts of the present year is hereby amended by striking out the same and inserting in place thereof the following: "Item 627a. For the construction of beds, tanks, sewers and appurtenances and the purchase of certain equipment for the disposal of sewage at the Lakeville state sanatorium, a sum not exceeding forty-one hundred and fifty dollars."

The appropriation made by Item 637a of chapter two hundred and thirty-four of the acts of the present year, for remodeling certain spaces at the Westfield state sanatorium, is hereby amended to include furnishings and equipment.

The appropriation made by Item 632 of chapter two hundred and thirty-four of the acts of the present year, for improvement of roads and parking spaces at the North Reading state sanatorium, is hereby transferred to Item 628 of said chapter two hundred and thirty-four.

Department of Public Works.

The appropriation made by Item 677 of chapter two hundred and thirty-four of the acts of the present year, for expenses of a topographical survey and map of the commonwealth, is hereby made in addition to the unexpended balance of any appropriation heretofore made for the purpose.

The unexpended balance of the appropriation made by Item 666e of chapter four hundred and ninety-seven of the acts of nineteen hundred and thirty-five, for expenditures for flood control of the Housatonic river, is hereby reappropriated.

The unexpended balance of the appropriation made by Item 638 of chapter two hundred and forty-five of the acts of nineteen hundred and thirty-one, as most recently reappropriated by chapter two hundred and forty-nine of the acts of nineteen hundred and thirty-five, for certain work in the Taunton river authorized by chapter four hundred and five of the acts of nineteen hundred and thirty, is hereby again reappropriated.

Chapter four hundred and twenty-nine of the acts of nineteen hundred and thirty-six, providing for repair or reconstruction of certain bridges damaged by recent floods, is hereby amended by adding at the end the following new section:—*Section 8.* The comptroller is hereby authorized to certify for payment liabilities incurred by the department in anticipation of the receipt of the assessments to be made in nineteen hundred and thirty-eight on certain cities, towns and counties, as authorized by this act.

SECTION 4. No payment shall be made or obligation incurred under authority of any special appropriation made by this act for construction of public buildings or other improvements at state institutions until plans and specifications have been approved by the governor, unless otherwise provided by such rules and regulations as the governor may make.

SECTION 5. This act shall take effect upon its passage.

Approved May 29, 1937.

AN ACT TO MAKE CLEAR THE INTENT OF THE LEGISLATURE WITH RESPECT TO THE EFFECT OF A CERTAIN ACT PROVIDING FOR THE ABOLITION OF PARTY PRIMARIES AND PRE-PRIMARY CONVENTIONS UPON CERTAIN LAWS RELATIVE TO CITY AND TOWN PRIMARIES. Chap. 435

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. Emergency
preamble.

Be it enacted, etc., as follows:

The laws governing city and town primaries in effect upon the passage of chapter three hundred and eighty-four of the acts of the current year, in so far as said laws may have been made inoperative, by repeal or otherwise, by the provisions of said chapter, are hereby revived and made operative and shall be in full force and effect, notwithstanding the provisions of said chapter.

Approved May 29, 1937.

AN ACT TO DIMINISH THE CAUSES OF LABOR DISPUTES BURDENING OR OBSTRUCTING INDUSTRY, AND TO CREATE A LABOR RELATIONS COMMISSION, AND FOR OTHER PURPOSES. Chap. 436

Be it enacted, etc., as follows:

FINDINGS AND POLICY.

SECTION 1. The denial by employers of the right of employees to organize and the refusal by employers to accept the procedure of collective bargaining lead to strikes and other forms of industrial strife or unrest, which have the intent or the necessary effect of burdening or obstructing industry and trade by (a) impairing the efficiency, safety, or operation of the instrumentalities of industry and trade; (b) occurring in the current of industry and trade; (c) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods, or the prices of such materials or goods; or (d) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for such goods in industry or trade.

The inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract, and employers who are organized in the corporate or other forms of ownership association substantially burdens and affects industry and trade, and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners in industry and by preventing the stabilization of competitive wage rates and working conditions within and between industries.

Experience has proved that protection by law of the right of employees to organize and bargain collectively safeguards industry and trade from injury, impairment, or interruption, and promotes the flow of industry and trade by removing certain recognized sources of industrial strife and unrest, by encouraging practices fundamental to the friendly adjustment of industrial disputes arising out of differences as to wages, hours, or other working conditions, and by restoring equality of bargaining power between employers and employees.

It is hereby declared to be the policy of the commonwealth of Massachusetts to eliminate the causes of certain substantial obstructions to the free flow of industry and trade and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and by protecting the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection.

DEFINITIONS.

SECTION 2. When used in this act —

(1) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

(2) The term "employer" includes any person acting in the interest of an employer, directly or indirectly, but shall not include the commonwealth or political subdivision thereof, or any labor organization (other than when acting as an employer), or any one acting in the capacity of officer or agent of such labor organization.

(3) The term "employee" shall include any employee, and shall not be limited to the employees of a particular employer, unless the act explicitly states otherwise, and shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice, and who has not obtained any other regular and substantially equivalent employment, but shall not include any individual employed as an agricultural laborer, or in the domestic service of any family or person at his home, or any individual employed by his parent or spouse.

(4) The term "representatives" includes any individual or labor organization.

(5) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(6) The term "unfair labor practice" means any unfair labor practice listed in section eight.

(7) The term "labor dispute" includes any controversy concerning terms, tenure or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment regardless of whether the disputants stand in the proximate relation of employer and employee.

(8) The term "commission" means the Labor Relations Commission of the Commonwealth of Massachusetts created by section three (a) of this act.

LABOR RELATIONS COMMISSION.

SECTION 3. (a) There is hereby created in the department of labor and industries, but in no respect subject to the jurisdiction thereof, a commission, to be known as the "Labor Relations Commission" (hereinafter referred to as the "commission"), which shall be composed of three members, who shall be appointed by the governor, by and with the advice and consent of the executive council. One of the original members shall be appointed for a term of one year, one for a term of three years, and one for a term of five years, but their successors shall be appointed for terms of five years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The governor shall designate one member to serve as chairman of the commission. Any member of the commission may be removed by the governor, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

(b) A vacancy in the commission shall not impair the right of the remaining members to exercise all the powers of the commission, and two members of the commission shall at all times, constitute a quorum. The commission shall have an official seal which shall be judicially noticed.

(c) The commission shall at the close of each fiscal year make a report in writing to the general court stating in detail the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the commission, and an account of all moneys it has disbursed.

SECTION 4. Each member of the commission shall receive a salary of six thousand dollars a year, shall be eligible for

reappointment, and shall not engage in any other business, vocation, or employment. The commission shall appoint an executive secretary, and such attorneys, examiners and regional directors and shall appoint such other employees with regard to existing laws applicable to the employment and compensation of officers and employees of the commonwealth, as it may from time to time find necessary for the proper performance of its duties and as may be from time to time appropriated for by the general court. The commission may establish or utilize such regional, local, or other agencies, and utilize such voluntary and uncompensated services, as may from time to time be needed. Attorneys appointed under this section may, at the direction of the commission, appear for and represent the commission in any case in court. Nothing in this act shall be construed to authorize the commission to appoint individuals for the purpose of conciliation or mediation or for statistical work, where such service may be obtained from the department of labor.

SECTION 5. The principal office of the commission shall be in the city of Boston, but it may meet and exercise any or all of its powers at any other place. The commission may, by one or more of its members or by such agents or agencies as it may designate, prosecute any inquiry necessary to its functions in any part of the commonwealth. A member who participates in such an inquiry shall not be disqualified from subsequently participating in a decision of the commission in the same case.

SECTION 6. The commission shall have authority from time to time to make, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of this act. Such rules and regulations shall be effective upon publication in the manner which the commission shall prescribe.

RIGHTS OF EMPLOYEES.

SECTION 7. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection.

SECTION 8. It shall be an unfair labor practice for an employer —

(1) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section seven.

(2) To dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it; provided, that subject to rules and regulations made and published by the commission pursuant to section six, an employer shall not be prohibited from permitting employees to confer with him during working hours without loss of time or pay.

(3) By discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization; provided, that nothing in this act shall preclude an employer from making an agreement with a labor organization (not established, maintained, or assisted by any action defined in this act as an unfair labor practice) to require as a condition of employment membership therein, if such labor organization is the representative of the employees as provided in section nine (a), in the appropriate collective bargaining unit covered by such agreement when made.

(4) To discharge or otherwise discriminate against an employee because he has filed charges or given testimony under this act.

(5) To refuse to bargain collectively with the representatives of his employees, subject to the provisions of section nine (a).

SECTION 8A. It shall be an unfair labor practice for any person or labor organization to seize or occupy unlawfully private property as a means of forcing settlement of a labor dispute.

REPRESENTATIVES AND ELECTIONS.

SECTION 9. (a) Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment; provided, that any individual employee or a group of employees shall have the right at any time to present grievances to their employer.

(b) The commission shall decide in each case whether, in order to insure to employees the full benefit of their right to self-organization and to collective bargaining, and otherwise to effectuate the policies of this act, the unit appropriate for the purposes of collective bargaining shall be the employer unit, craft unit, plant unit, or subdivision thereof.

(c) Whenever a question affecting industry and trade arises concerning the representation of employees, the commission may investigate such controversy and certify to the parties, in writing, the name or names of the representatives that have been designated or selected. In any such investigation, the commission shall provide for an appropriate hearing upon due notice either in conjunction with a proceeding under section ten or otherwise, and may take a secret ballot of employees, or utilize any other suitable method to ascertain such representatives.

(d) Whenever an order of the commission made pursuant to section ten (c) is based in whole or in part upon facts certified following an investigation pursuant to subsection (c) of this section, and there is a petition for the enforcement or review of such order, such certification and the record of

such investigation shall be included in the transcript of the entire record required to be filed under subsections ten (e) or ten (f), and thereupon the decree of the court enforcing, modifying, or setting aside in whole or in part the order of the commission shall be made and entered upon the pleadings, testimony, and proceedings set forth in such transcript.

PREVENTION OF UNFAIR LABOR PRACTICES.

SECTION 10. (a) The commission is empowered, as hereinafter provided, to prevent any person from engaging in any unfair labor practice listed in section eight affecting industry and trade. This power shall be exclusive, and shall not be affected by any other means of adjustment or prevention that has been or may be established by agreement, code, law, or otherwise.

(b) Whenever it is charged that any person has engaged in or is engaging in any such unfair labor practice, the commission, or any agent or agency designated by the commission for such purposes, shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect, and containing a notice of hearing before the commission or a member thereof, or before a designated agent or agency, at a place therein fixed, not less than five days after the serving of said complaint. Any such complaint may be amended by the member, agent, or agency conducting the hearing or the commission in its discretion at any time prior to the issuance of an order based thereon. The person so complained of shall have the right to file an answer to the original or amended complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint. In the discretion of the member, agent or agency conducting the hearing or the commission, any other person may be allowed to intervene in the said proceeding and to present testimony. In any such proceeding the rules of evidence prevailing in courts of law or equity shall not be controlling.

(c) The testimony taken by such member, agent or agency or the commission shall be reduced to writing and filed with the commission. Thereafter, in its discretion, the commission upon notice may take further testimony or hear argument. If upon all the testimony taken the commission shall be of the opinion that any person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the commission shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair labor practice, and to take such affirmative action, including reinstatement of employees with or without back pay, as will effectuate the policies of this act. Such order may further require such person to make reports from time to time showing the extent to which it has complied with the order. If upon all the testimony taken the commission

shall be of the opinion that no person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the commission shall state its findings of fact and shall issue an order dismissing the said complaint.

(d) Until a transcript of the record in a case shall have been filed in a court, as hereinafter provided, the commission may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it.

(e) The commission shall have power to petition the superior court in any county wherein the unfair labor practice in question occurred or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and order of the commission. Upon such filing, the court shall cause notice thereof to be served upon such person, and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the commission. No objection that has not been urged before the commission, its member, agent or agency, shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the commission as to the facts, if supported by evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the commission, its member, agent, or agency, the court may order such additional evidence to be taken before the commission, its member, agent, or agency, and to be made a part of the transcript. The commission may modify its findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which, if supported by evidence, shall be conclusive, and shall file its recommendations, if any, for the modification or setting aside of its original order. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the supreme judicial court for the commonwealth.

(f) Any person aggrieved by a final order of the commission granting or denying in whole or in part the relief sought may obtain a review of such order in the superior court for the county wherein the unfair labor practice in question was

alleged to have been engaged in, or wherein such person resides or transacts business, by filing in such court a written petition praying that the order of the commission be modified or set aside. A copy of such petition shall be forthwith served upon the commission, and thereupon the aggrieved party shall file in the court a transcript of the entire record in the proceeding, certified by the commission, including the pleading and testimony upon which the order complained of was entered and the findings and order of the commission. Upon such filing, the court shall proceed in the same manner as in the case of an application by the commission under subsection (e), and shall have the same exclusive jurisdiction to grant to the commission such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the commission; and the findings of the commission as to the facts, if supported by evidence, shall in like manner be conclusive.

(g) The commencement of proceedings under subsection (e) or (f) of this section shall not, unless specifically ordered by the court, operate as a stay of the commission's order.

(h) When granting appropriate temporary relief or a restraining order, or making and entering a decree enforcing, modifying, and enforcing as so modified or setting aside in whole or in part an order of the commission, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by General Laws, chapter one hundred and forty-nine, section twenty C; chapter two hundred and fourteen, sections one, nine, and nine A, and chapter two hundred and twenty, sections thirteen A and thirteen B.

(i) Petitions filed under this act shall be heard expeditiously, and if possible within ten days after they have been docketed.

INVESTIGATORY POWERS.

SECTION 11. For the purpose of all hearings and investigations, which, in the opinion of the commission, are necessary and proper for the exercise of the powers vested in it by section nine and section ten —

(1) The commission, or its duly authorized agents or agencies, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any evidence of any person being investigated or proceeded against that relates to any matter under investigation or in question. Any member of the commission shall have power to issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question before the commission, its member, agent, or agency conducting the hearing or investigation. Any member of the commission, or any agent or agency designated by the commission for such purposes, may administer oaths and affirmations, examine witnesses,

and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place in the commonwealth, at any designated place of hearing.

(2) In case of contumacy or refusal to obey a subpoena issued to any person, the superior court within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the commission shall have jurisdiction to issue to such person an order requiring such person to appear before the commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(3) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to the subpoena of the commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(4) Complaints, orders, and other process and papers of the commission, its member, agent, or agency, may be served either personally or by registered mail or by telegraph or by leaving a copy thereof at the principal office or place of business of the person required to be served. The verified return by the individual so serving the same setting forth the manner of such service shall be proof of the same, and the return post office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be proof of service of the same. Witnesses summoned before the commission, its member, agent, or agency, shall be paid the same fees and mileage that are paid witnesses in the courts of the commonwealth, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the commonwealth.

(5) All process of any court to which application may be made under this act may be served in the judicial district wherein the defendant or other person required to be served resides or may be found.

(6) The several departments and agencies of the commonwealth, when directed by the governor, shall furnish the commission, upon its request, all records, papers, and information in their possession relating to any matter before the commission.

SECTION 12. Any person who shall wilfully resist, prevent, impede, or interfere with any member of the commission or any of its agents or agencies in the performance of duties pursuant to this act shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than one year, or both.

LIMITATIONS.

SECTION 13. Nothing in this act shall be construed so as to interfere with or impede or diminish in any way the right to strike.

SECTION 14. (a) Wherever the application of the provisions of any other law of this commonwealth conflicts with the application of the provisions of this act, this act shall prevail.

(b) This act shall not be deemed applicable to any unfair labor practice subject to the National Labor Relations Act.

SECTION 15. If any provision of this act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SECTION 16. This act may be cited as the "State Labor Relations Act."

Approved May 29, 1937.

Chap. 437 AN ACT RELATIVE TO PROMOTING PEACEFUL INDUSTRIAL RELATIONS BY REGULATING CERTAIN FORMS OF PRIVATE POLICE AND DETECTIVE ACTIVITY IN LABOR DISPUTES AND RELATED MATTERS.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 147, new sections 25A-25C, added.

"Private detective", defined.

SECTION 1. Chapter one hundred and forty-seven of the General Laws is hereby amended by inserting after section twenty-five, as appearing in the Tercentenary Edition, the following three new sections:— *Section 25A.* For the purposes of this chapter, the term "private detective" shall include, among others, those persons known as inside shop operatives and also persons known as strikebreakers, — that is, persons who pose as shop employees, but who do not undertake direct employment whether in shops or otherwise with the owner of a place of employment, but who are employed by some independent agency to operate or work in such place of employment, or to render reports of efforts to unionize or organize employees in such place of employment to the owners of the place of employment under the direction of such independent agency.

Section 25B. Any private detective duly licensed under this chapter shall within twenty-four hours of entering any industrial plant as an employee or posing as an employee for the purpose of interfering with the organization of employees in such place of employment, file with the commissioner of public safety a statement in writing of the purpose

Reports required.

of such action. Any failure so to report or any misstatement in such report may be the subject of written complaint by any aggrieved party, including any officer of an aggrieved labor union or association, whether incorporated or otherwise. Violation of any provision of this section shall, on such complaint, subject the private detective concerned to revocation or suspension of his or its license for not more than one year, after opportunity for an impartial hearing by the commissioner of public safety.

Section 25C. It shall be unlawful for any private detective duly licensed under this statute to enter, or cause any person to enter, any place of employment for any purpose having to do with the organizing or organization of employees in said establishment, or any purpose having to do with hours of labor, wages or salaries paid, or conditions of employment in such establishment or its branches or subsidiaries or related units, or to disseminate propaganda of any sort among employees in such establishment, or to be concerned with labor conditions of employees as a group. Violation of any provision of this section shall subject the private detective concerned to loss of his or its license for not more than one year, after opportunity for an impartial hearing by the commissioner of public safety, on written complaint of any aggrieved person, or the officer of any aggrieved labor union or association, whether incorporated or otherwise.

Penalties.

SECTION 2. Section twenty-six of said chapter one hundred and forty-seven, as so appearing, is hereby amended by adding at the end the following:— ; and the word “person” under this section shall include the officer of any aggrieved labor union or association, whether incorporated or otherwise,—so as to read as follows:—*Section 26.* For each license, the licensee, if an individual, shall pay to the commissioner the sum of one hundred dollars annually, and, if a partnership or corporation, the sum of two hundred dollars annually, and shall give to the commissioner a bond in the sum of five thousand dollars, executed by the applicant as principal and by a surety company authorized to do business in the commonwealth as surety. The bond shall be in such form as the commissioner may prescribe, conditioned upon the honest conduct of the business of the licensee, and the right of any person injured by the wilful, malicious or wrongful act of the licensee to bring in his own name an action on the bond; and the word “person” under this section shall include the officer of any aggrieved labor union or association, whether incorporated or otherwise.

G. L. (Ter. Ed.), 147, § 26, amended.

License. Fee.

Bond.

SECTION 3. Said chapter one hundred and forty-seven is hereby further amended by striking out section thirty, as so appearing, and inserting in place thereof the following:—*Section 30.* Sections twenty-two to twenty-nine, inclusive, shall not apply to any detective or officer belonging to the police force of the commonwealth, or of any subdivision thereof, while engaged in the performance of his official

G. L. (Ter. Ed.), 147, § 30, amended.

Application of sections limited.

duties; nor to a charitable, philanthropic or law enforcement society or association duly incorporated under the laws of the commonwealth, nor to any agent thereof while engaged in the discharge of his duties as such agent, provided the society or organization is promoted and maintained for the public good and not for private profit; nor to any person employed by any person as an investigator in connection with the regular and customary business of such employer, and whose services are not let out to another for profit or gain; nor to any regularly established credit reporting or mercantile agency; provided, that such society, person or agency does not engage in any activities in any way concerned with employee or labor disputes or problems, or other related matters, or in any activities described in section twenty-five A or twenty-five C; nor shall said sections twenty-two to twenty-nine, inclusive, be construed to prohibit a licensee thereunder from conducting an investigation within an employer's own establishment for the purpose of obtaining information for the employer respecting conditions affecting the safe, efficient and economical operation of said employer's business, but not in any way concerning or having to do with hours of labor, wages, salaries or labor disputes.

Approved May 29, 1937.

Chap. 438 AN ACT MAKING CERTAIN AMENDMENTS TO THE TEACHERS' RETIREMENT LAW.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 32, § 9, amended.

SECTION 1. Section nine of chapter thirty-two of the General Laws is hereby amended by striking out paragraph (2), as appearing in the Tercentenary Edition, and inserting in place thereof the following: —

Annuity fund.

(2) The annuity fund shall consist of assessments paid by members and interest derived from investments of the annuity fund. Each member shall pay into the annuity fund, by deduction from his salary in the manner provided in section twelve (5), such assessments upon his salary as may be determined by the board. The rate of assessment shall be established by the board on the first day of July of each year after a prior notice of at least three months, and shall at any given time be uniform for all members of the association, and shall not be less than three nor more than seven per cent of the member's salary; provided, that when the total sum of assessments on the salary of any member at the rate established by the board would amount to more than one hundred and thirty dollars or less than thirty-five dollars for a full school year, such member shall in lieu of assessments at the regular rate be assessed at the rate of one hundred and thirty dollars a year or thirty-five dollars a year, payable in equal instalments, to be assessed for the number of months during which the schools of the community in which such member is employed are commonly in session.

Any member who shall for thirty years have paid regular assessments to the annuity fund shall be exempt from further assessments; but such member may thereafter, if he so elects, continue to pay his assessments to the fund. A member, within thirty days prior to the date that his retirement takes effect under section ten, may pay in one sum into the annuity fund established by this paragraph any amount which he may elect, but not exceeding the amount which he may have to his credit at the time of his retirement, and the amount so contributed shall be considered as part of his regular assessments for all purposes except that it shall in no way affect the amount of his pension. The commonwealth shall annually contribute such amount as is necessary to make good any deficiency in the annuity fund for active or retired members as of the preceding thirty-first day of December.

SECTION 2. Paragraph (4) of section ten of said chapter thirty-two, as so appearing, is hereby amended by adding at the end the following: — , except that the annual rate of pension shall not exceed the annuity purchasable at his attained age or at age seventy, whichever is the lesser, by the sum which at age sixty and in accordance with said clause (a) would purchase an annuity of six hundred and fifty dollars. A member who has to his credit at the time of retirement assessments under paragraph (2) of section nine for a period of fifteen years, with interest thereon, shall receive a minimum annual pension of an amount which, when added to the annual amount of the full life annuity purchasable by said assessments and interest under said clause (a), shall be not less than four hundred dollars, — so as to read as follows: —

G. L. (Ter. Ed.), 32, § 10, amended.

(4) Any member receiving payments of an annuity as provided in paragraph (3) of this section, if not rendered ineligible therefor by section fifteen, shall receive with each quarterly payment of his annuity an amount from the pension fund, as directed by the board, equal to the quarterly annuity payment to which he would be entitled if his annuity were figured under clause (a) of paragraph (3) of this section, except that the annual rate of pension shall not exceed the annuity purchasable at his attained age or at age seventy, whichever is the lesser, by the sum which at age sixty and in accordance with said clause (a) would purchase an annuity of six hundred and fifty dollars. A member who has to his credit at the time of retirement assessments under paragraph (2) of section nine for a period of fifteen years, with interest thereon, shall receive a minimum annual pension of an amount which, when added to the annual amount of the full life annuity purchasable by said assessments and interest under said clause (a), shall be not less than four hundred dollars.

Retiring allowances.

SECTION 3. Said section ten is hereby further amended by striking out paragraph (10), as amended by section two of chapter three hundred and eighty-six of the acts of nine-

G. L. (Ter. Ed.), 32, § 10, further amended.

teen hundred and thirty-six, and inserting in place thereof the following: —

Same
subject.

(10) Any member retired under paragraph (8) of this section shall, if not rendered ineligible therefor by section fifteen, receive from the pension fund a pension at an annual rate of one one hundred and fortieth of his average yearly rate of salary, not exceeding two thousand six hundred dollars, for the five years immediately preceding retirement, multiplied by the number of years of service for which he is entitled to credit since July first, nineteen hundred and fourteen, but not exceeding thirty-five years, and if he had service as a regular teacher prior to said July first, nineteen hundred and fourteen, an additional pension the annual rate of which shall be equal to one seventieth of his average annual rate of salary, not exceeding two thousand six hundred dollars, for the five years immediately preceding retirement, multiplied by the difference between his total creditable service not exceeding thirty-five years and the service for which he is entitled to credit since said July first, nineteen hundred and fourteen. No person shall receive a pension under this paragraph which would result in his retiring allowance being in excess of the retiring allowance to which he would be entitled if he were to continue in service until age sixty, contributing annual assessments based on his average yearly rate of salary for the five years immediately preceding retirement at the rate of assessment in effect at that time, with interest at four per cent, the annuity in determining said retiring allowances to be computed in accordance with clause (a) of paragraph (3) of this section. A member who has to his credit at the time of retirement assessments under paragraph (2) of section nine for a period of fifteen years, with interest thereon, shall receive a minimum annual pension of an amount which, when added to the annual amount of the full life annuity purchasable by said assessments and interest under said clause (a) shall be not less than four hundred dollars.

G. L. (Ter.
Ed.), 32, § 10,
further
amended.

SECTION 4. Said section ten is hereby further amended by striking out paragraphs (11) and (12), as so appearing.

Approved May 29, 1937.

Chap. 439 AN ACT RELATIVE TO PROCEDURE IN CERTAIN ACTIONS TO RECOVER DAMAGES ARISING OUT OF MOTOR VEHICLE ACCIDENTS AND IN SUITS BY JUDGMENT CREDITORS IN ACTIONS TO REACH AND APPLY THE PROCEEDS OF MOTOR VEHICLE LIABILITY POLICIES AND IN ACTIONS TO RECOVER ON MOTOR VEHICLE LIABILITY BONDS.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and thirty-one of the General Laws is hereby amended by inserting after section eighty-five A, as appearing in the Tercentenary Edition, the following two new sections:—*Section 85B.* In any

G. L. (Ter.
Ed.), 231, new
sections 85B
and 85C,
added.
Recovery of
damages in

action to recover the consequential damages specified in section thirty-four A of chapter ninety, arising out of an accident or collision in which a motor vehicle, as defined in sections one and thirty-four A of chapter ninety, was involved, such motor vehicle if registered in the name of the defendant as owner at the time of such accident or collision shall be presumed to have been then operated, maintained, controlled or used by and under the control of a person for whose conduct the defendant was legally responsible, and absence of such responsibility shall be an affirmative defence to be set up in the answer and proved by the defendant.

certain accident cases.

Section 85C. In any suit in equity under section one hundred and thirteen of chapter one hundred and seventy-five and clause (10) of section three of chapter two hundred and fourteen to reach and apply the proceeds of any motor vehicle liability policy, as defined in section thirty-four A of chapter ninety, by a judgment creditor in any action to recover damages for bodily injuries, including death at any time resulting therefrom, or the consequential damages specified in said section thirty-four A, arising out of an accident or collision in which a motor vehicle, as defined in sections one and thirty-four A of said chapter ninety, was involved, and in any action under section thirty-four G of said chapter ninety on a motor vehicle liability bond, as defined in said section thirty-four A, it shall be presumed that at the time of such accident or collision such vehicle was being operated, maintained, controlled or used with the express or implied consent of the named person insured in such policy or the principal of such bond, and the absence of such consent shall be an affirmative defence to be set up in the answer and proved by the defendant.

Suits to reach and apply.

SECTION 2. This act shall apply in case of causes of action accruing prior to the effective date of this act as well as causes of action accruing thereafter.

Application of act.

Approved May 29, 1937.

AN ACT RELATIVE TO THE OLD AGE ASSISTANCE LAW, SO CALLED. *Chap. 440*

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter one hundred and eighteen A of the General Laws, as appearing in section one of chapter four hundred and thirty-six of the acts of nineteen hundred and thirty-six, is hereby amended by striking out, in the thirty-seventh line, the word "forty-five" and inserting in place thereof the word: — fifty, — and by striking out all after the word "eligible" in the thirty-ninth line, — so as to read as follows: — *Section 1.* Adequate assistance to deserving citizens in need of relief and support sixty-five years of age or over who shall have resided in the commonwealth not less than five years dur-

G. L. (Ter. Ed.), 118A, § 1, etc., amended.

Old age assistance.

ing the nine years immediately preceding the date of application for such assistance and who shall have resided in the commonwealth continuously for one year immediately preceding said date of application, shall be granted under the supervision of the department of public welfare, in this chapter called the department. Financial assistance granted hereunder shall be given from the date of application therefor, but in no event before the applicant reaches the age of sixty-five, and in determining the amount of assistance to be given for any period preceding the date on which the application was favorably passed upon, consideration shall be given to the amount of welfare relief, if any, given to such applicant during said period under any other provision of law. Such assistance shall, wherever practicable, be given to the aged person in his own home or in lodgings or in a boarding home, which for the purposes hereof shall include any institution providing shelter, care and treatment for aged persons which is not supported in whole or in part by public funds; provided, that no inmate of such a boarding home or institution shall be eligible for assistance under this chapter while being cared for under a contract; and provided, further, that for the purposes of this chapter any person who, while such an inmate, has lost or shall lose his settlement at the time of admission to such home or institution shall be deemed to have no settlement in the commonwealth. Such assistance shall be paid by check or in cash, which shall be delivered to the applicant at his residence if he so requests, and shall, except as hereinafter provided, be at a rate of not less than thirty dollars monthly for each recipient, or, in case of a husband and wife living together, both of whom are eligible for such assistance, not less than fifty dollars monthly for both, or, in case of sisters or brothers or sisters and brothers living together, all of whom are so eligible, not less than fifty dollars monthly for two, and not less than fifteen dollars monthly for each additional brother or sister so eligible.

Payments,
how made.

G. L. (Ter.
Ed.), 118A, § 2,
etc., amended.

Local
bureau.

SECTION 2. Said chapter one hundred and eighteen A, as so appearing, is hereby further amended by striking out section two and inserting in place thereof the following: — *Section 2.* Each board of public welfare shall, for the purpose of granting adequate assistance and service to such aged persons, establish a division thereof to be designated as the bureau of old age assistance. In determining the need for financial assistance, said bureaus shall give consideration to the resources of the aged person, but no action shall be brought under sections twenty to twenty-two, inclusive, of chapter two hundred and seventy-three by a board of public welfare in connection with the granting of assistance under this chapter except with the written approval of the department. Not later than fourteen days from the initial payment to applicants, notice on a form prescribed by the department shall be forwarded to the appeal board hereinafter provided for, stating in each case

any and all deductions from the amounts of assistance prescribed herein and the reasons for all such deductions. If said deductions in a particular case are not approved by said appeal board they shall not be made in subsequent payments in said case and the amount of deductions made in such initial payment shall be added to the amount of the next succeeding payment. In determining the amounts of assistance to be paid under this chapter, local boards of public welfare shall determine that all applicants eligible for such assistance shall receive such assistance in the amounts prescribed herein or in amounts which would bring said applicants' total income to the equivalent of such amounts. Separate records of all such aged persons who are assisted shall be kept and reports returned in the manner prescribed by section thirty-four of chapter forty-one and by sections thirty-two and thirty-three of chapter one hundred and seventeen. The department shall make an annual report to the general court, and also such reports to the social security board established under the federal social security act, approved August fourteenth, nineteen hundred and thirty-five, as may be necessary to secure to the commonwealth the benefits of said act.

SECTION 3. Said chapter one hundred and eighteen A, as so appearing, is hereby further amended by striking out section three and inserting in place thereof the following:—

G. L. (Ter. Ed.), 118A, § 3, etc., amended.

Section 3. Any person aggrieved by the failure of a town to render adequate assistance under this chapter, or by the failure of the board of public welfare of a town to approve or reject an application for assistance hereunder within thirty days after receiving such application, shall have a right of appeal to a board composed of the superintendent of old age assistance in the department, the director of the division of aid and relief and the commissioner of public welfare, ex officio. Said board, hereinafter called the appeal board, shall forthwith make a thorough investigation and shall have authority to act upon any appeal in relation to the following matters:

Appeal upon failure to grant aid.

1. The matter of denial of assistance by the local board of public welfare;

2. The matter of a change in the amount of assistance given;

3. The matter of withdrawal of assistance;

4. The matter of failure to receive adequate assistance under this chapter by reason of the non-fulfillment of any agreement made by a third person to contribute toward the support and maintenance of such aged person. In all cases of appeal an opportunity for a fair hearing shall be provided by the appeal board. The department and the appeal board may, upon its own motion, review any decision of a local board of public welfare or of a bureau of old age assistance, and may consider any application upon which a decision has not been made by such a board or bureau within a reasonable time. All decisions of the ap-

peal board shall be binding upon the local board of public welfare or bureau of old age assistance involved and shall be complied with by such local board or bureau.

Approved May 29, 1937.

Chap.441 AN ACT RELATIVE TO THE ISSUE BY THE COMMONWEALTH OF BONDS IN CONNECTION WITH THE ACQUISITION OF PROPERTY FOR FLOOD CONTROL PURPOSES IN THE CONNECTICUT RIVER VALLEY.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter three hundred and ninety-seven of the acts of the current year is hereby amended by striking out section six and inserting in place thereof the following: — *Section 6.* To meet the expenditures necessary to carry out the provisions of article IX of said compact relating to the payment by the commonwealth to the Connecticut river valley flood control commission of the proportionate share of the commonwealth in the cost of acquisition of lands, easements and rights of way for the dams and reservoirs therein provided as the initial plan, the state treasurer shall upon request of said commission issue and sell, at public or private sale, bonds of the commonwealth registered or with interest coupons attached as he may deem best to an amount to be specified by said commission from time to time, but not in excess of one million, three hundred and fifty thousand dollars in the aggregate, nor in excess of six hundred and seventy-five thousand dollars in any one year. All such bonds shall be designated on their face, — Connecticut River Valley Flood Control Loan, and shall be on the serial payment plan for such maximum term of years as the governor may recommend to the general court in accordance with section three of article LXII of the amendments to the constitution of the commonwealth, the maturities thereof to be so arranged that the amount payable each year, other than the final year, shall, as nearly as in the opinion of the state treasurer is practicable, be equal. Said bonds shall bear interest payable semi-annually at such rate as the state treasurer, with the approval of the governor and council, shall fix.

Approved May 29, 1937.

Chap.442 AN ACT RELATIVE TO THE ISSUE BY THE COMMONWEALTH OF BONDS IN CONNECTION WITH THE ACQUISITION OF PROPERTY FOR FLOOD CONTROL PURPOSES IN THE MERRIMACK RIVER VALLEY.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be

an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter four hundred and twenty-three of the acts of the current year is hereby amended by striking out section six and inserting in place thereof the following:— *Section 6.* To meet the expenditures necessary to carry out the provisions of article X of said compact relating to the payment by the commonwealth to the Merrimack river valley flood control commission of the proportionate share of the commonwealth in the cost of acquisition of lands, easements and rights of way for the dams and reservoirs therein provided as the initial plan, the state treasurer shall upon request of said commission issue and sell, at public or private sale, bonds of the commonwealth registered or with interest coupons attached as he may deem best to an amount to be specified by said commission from time to time, but not in excess of one million, one hundred and forty-two thousand five hundred dollars in the aggregate, nor in excess of five hundred and seventy-one thousand two hundred and fifty dollars in any one year. All such bonds shall be designated on their face, — Merrimack River Valley Flood Control Loan, and shall be on the serial payment plan for such maximum term of years as the governor may recommend to the general court in accordance with section three of article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amount payable each year, other than the final year, shall, as nearly as in the opinion of the state treasurer is practicable, be equal. Said bonds shall bear interest payable semi-annually at such rate as the state treasurer, with the approval of the governor and council, shall fix.

Approved May 29, 1937.

AN ACT TRANSFERRING A PORTION OF THE PROCEEDS OF THE GASOLINE TAX FROM THE HIGHWAY FUND TO THE GENERAL FUND.

Chap. 443

Whereas, The deferred operation of this act would tend to defeat its purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Emergency
preamble.

Be it enacted, etc., as follows:

The state treasurer is hereby authorized and directed to transfer the sum of six million six hundred thousand dollars from the Highway Fund to the General Fund.

Approved May 29, 1937.

Chap. 444 AN ACT TO APPORTION AND ASSESS A STATE TAX OF TWELVE MILLION TWO HUNDRED AND FIFTY THOUSAND DOLLARS.

Emergency
preamble.

Whereas, A delay in the taking effect of this act would cause great inconvenience in the collection of the state tax, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. There shall be a state tax for the current year amounting in the aggregate to twelve million two hundred and fifty thousand dollars. The cities and towns in the commonwealth shall be assessed and charged with, and shall pay, said tax in the proportions established for them, respectively, by chapter three of the acts of nineteen hundred and thirty-five. The comptroller shall, as soon as may be, prepare a schedule showing the sum with which each city and town is charged in accordance herewith and transmit the same to the commissioner of corporations and taxation, who shall verify the sums appearing in such schedule and as soon as may be thereafter shall certify it as so verified to the state treasurer. A copy of the schedule as so verified shall be kept in the office of said commissioner and shall be open to public inspection.

SECTION 2. Upon receipt by the state treasurer from said commissioner of said schedule as verified and certified by him, said treasurer shall forthwith send his warrants to the selectmen or assessors of each city and town taxed as aforesaid, requiring them respectively to assess in the manner provided in section twenty-one of chapter fifty-nine of the General Laws, as most recently amended by section two of chapter three hundred and seventy-six of the acts of nineteen hundred and thirty-six, the sum so charged, and any other taxes or charges which may be due and payable to the commonwealth as specifically provided by law or as certified to him by the proper state board, department or commission, and to add the amount of such taxes and charges to the amount of city, town and county taxes to be assessed by them respectively on each city and town.

SECTION 3. The state treasurer in his warrant shall require the selectmen or assessors to pay, or issue severally their warrant or warrants requiring the treasurers of their several cities and towns to pay, to the state treasurer, on or before November twentieth in the current year, the sums with which their respective cities and towns are charged as provided in section one; and the selectmen or assessors, respectively, shall return a certificate of the names of the treasurers of their several cities and towns, with the sum which each may be required to collect, to the state treasurer at some time before September first in the current year.

SECTION 4. If the amount due from any city or town, as provided in this act, is not paid to the state treasurer within

the time specified, the state treasurer shall notify the treasurer of such delinquent city or town, who shall pay into the treasury of the commonwealth, in addition to the tax, such further sum as would be equal to one per cent per month during the delinquency from and after November twentieth of the current year; and if the same remains unpaid after December first of the current year, an information may be filed by the state treasurer in the supreme judicial court, or before any justice thereof, against such delinquent city or town; and upon notice to such city or town, and a summary hearing thereon, a warrant of distress may issue against such city or town to enforce the payment of said taxes under such penalties as the court, or the justice thereof before whom the hearing is had, shall order. The state treasurer may deduct at any time from any moneys which may be due from the commonwealth to any city or town the whole or any part of the tax herein apportioned or any other tax or charge which may be due to the commonwealth from such city or town, with the interest accrued thereon.

Approved May 29, 1937.

AN ACT FURTHER IN ADDITION TO THE GENERAL APPROPRIATION ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS CONTAINED THEREIN, AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS.

Chap. 445

Be it enacted, etc., as follows:

SECTION 1. To provide further for supplementing certain items in the general appropriation act, and for certain new activities and projects, the sums set forth in section two, for the particular purposes and subject to the conditions stated therein, are hereby appropriated from the general fund or ordinary revenue of the commonwealth, unless some other source of revenue is expressed, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

Second
supplementary
appropriation
act.

Other Appropriations.

Item		
36m	For certain investigations by the committee on the judiciary sitting during the recess, as authorized by chapter fifty-five of the resolves of the present year, a sum not exceeding twenty-five hundred dollars	\$2,500 00
36n	For an investigation relative to the Boston Port Authority and relative to the production and development of commerce of the port of Boston, as authorized by chapter fifty-seven of the resolves of the present year, a sum not exceeding fifteen hundred dollars	1,500 00
36o	For an investigation relative to the development of airports, as authorized by chapter fifty-nine of the resolves of the present year, a sum not exceeding fifteen hundred dollars	1,500 00

Item		
36p	For an investigation relative to the problem of housing, as authorized by chapter sixty-four of the resolves of the present year, a sum not exceeding fifteen hundred dollars	\$1,500 00
36q	For an investigation relative to the sanitary condition of certain rivers, as authorized by chapter sixty-six of the resolves of the present year, a sum not exceeding three thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	3,000 00
605a	For expenses of providing treatment for certain persons suffering from gonorrhea or syphilis, as authorized by chapter three hundred and ninety-one of the acts of the present year, a sum not exceeding fifty thousand dollars	50,000 00
605b	For expenses of hospitalization of certain patients suffering from chronic rheumatism, as authorized by chapter three hundred and ninety-three of the acts of the present year, a sum not exceeding nine thousand dollars	9,000 00
694a	For the improvement of Edgartown harbor, as authorized by chapter twenty-seven of the resolves of the present year, a sum not exceeding ten thousand dollars	10,000 00
694b	For the improvement of Cuttyhunk harbor, as authorized by chapter twenty-nine of the resolves of the present year, a sum not exceeding seventeen thousand dollars	17,000 00
217a	For a contribution by the commonwealth for the development of Apremont park in the city of Westfield, a sum not exceeding two thousand dollars, the same to be paid by the state treasurer to the treasurer of the county of Hampden as authorized by chapter three hundred and eighty-nine of the acts of the present year	2,000 00
36r	For an investigation relative to the registration of voters, as authorized by chapter sixty-seven of the resolves of the present year, a sum not exceeding one thousand dollars	1,000 00
36t	For an investigation relative to certain harbor improvements in the commonwealth, as authorized by chapter sixty-nine of the resolves of the present year, a sum not exceeding twenty-five hundred dollars	2,500 00
36u	For expenses of the commission on interstate cooperation as authorized by chapter four hundred and four of the acts of the present year, a sum not exceeding one thousand dollars, the same to be in addition to any amount heretofore appropriated for expenses of the commission on interstate compacts affecting labor and industries	1,000 00
52	For pensions of retired justices of the superior court, a sum not exceeding eight thousand dollars, the same to be in addition to any amount heretofore appropriated for the purpose	8,000 00
532	For personal services of deputies, members of the board of parole and advisory board of pardons, agents, clerks and stenographers, a sum not exceeding twenty-three hundred dollars, the same to be in addition to any amount heretofore appropriated for the purpose. This appropriation provides for the salaries of the parole board as now constituted, and any money heretofore appropriated for allowances for the former board is hereby made available	2,300 00

Item		
36v	For an investigation relative to labor matters, as authorized by chapter seventy of the resolves of the present year, a sum not exceeding twenty-five hundred dollars	\$2,500 00
36w	For an investigation relative to construction, alteration and maintenance of buildings in the city of Boston, as authorized by chapter seventy-one of the resolves of the present year, a sum not exceeding one thousand dollars	1,000 00
694c	For the cost of dredging Town river in the city of Quincy, as authorized by chapter four hundred and nineteen of the acts of the present year, a sum not exceeding sixty-eight thousand four hundred and sixty dollars	68,460 00
677a	For the meeting of payrolls and other compensation and expenses incurred by the department of public works as the agency of the commonwealth for the acquisition of lands, easements and rights of way and other duties, as provided in chapters three hundred and ninety-seven and four hundred and twenty-three of the acts of the present year, as amended, for flood control purposes in the Connecticut river valley and the Merrimack river valley, a sum not exceeding fifty thousand dollars, to be charged against receipts from the treasurers of the interstate compact commissions under the provisions of said chapters.	
190a	For the compensation and incidental expenses of the members appointed to represent the commonwealth on the interstate compact commission relative to flood control of the Merrimack river, as authorized by chapter four hundred and twenty-three of the acts of the present year, as amended, a sum not exceeding four thousand dollars	4,000 00
190b	For the compensation and incidental expenses of the members appointed to represent the commonwealth on the interstate compact commission relative to flood control of the Connecticut river, as authorized by chapter three hundred and ninety-seven of the acts of the present year, as amended, a sum not exceeding four thousand dollars	4,000 00
733	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves, a sum not exceeding two thousand and ninety dollars, the same to be in addition to any amount heretofore appropriated for the purpose	2,090 00
738	For the payment of claims authorized by certain resolves of the current year, a sum not exceeding fifteen thousand nine hundred twenty-eight dollars and eighty-three cents. Said payments shall be certified by the comptroller of the commonwealth only upon the filing of satisfactory releases or other evidence that the payments are accepted as full compensation on the part of the commonwealth in respect thereto	15,928 83
444a	For personal services and expenses of the board of registration of chiropody, as authorized by chapter four hundred and twenty-five of the acts of the present year, a sum not exceeding one thousand dollars	1,000 00
465a	For the cost of promotion and development of the industrial, agricultural and recreational resources of the commonwealth, to be administered	

Item	by the Massachusetts development and industrial commission, as authorized by chapter four hundred and twenty-seven of the acts of the present year, a sum not exceeding fifty thousand dollars .	\$50,000 00
726b	For the reconstruction of a bridge and its approaches over the Mystic river in the city of Medford and the town of Arlington by the metropolitan district commission, as authorized by chapter four hundred and thirty-two of the acts of the present year, a sum not exceeding fifty-two thousand five hundred dollars, to be paid from the Highway Fund .	52,500 00
465b	For the administration by the labor relations commission of chapter four hundred and thirty-six of the acts of the present year, relative to labor disputes and other purposes, a sum not exceeding ten thousand dollars .	10,000 00
36x	For an investigation relative to the extension of rapid transit facilities for the East Boston district of the city of Boston, as authorized by chapter seventy-three of the resolves of the present year, a sum not exceeding one thousand dollars .	1,000 00
	Total, General and Highway Funds . . .	\$325,278 83

SECTION 3. This act shall take effect upon its passage.
Approved May 29, 1937.

Chap. 446 AN ACT RELATIVE TO THE TERMS OF CERTAIN BONDS, NOTES OR OTHER FORMS OF WRITTEN ACKNOWLEDGMENT OF DEBT TO BE ISSUED BY THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The term of the bonds which the state treasurer is authorized to issue under chapter three hundred and ninety-seven of the acts of the current year, as amended, providing for the acquisition of property for flood control purposes in the Connecticut River Valley, for compliance by the commonwealth with the interstate compact relative thereto, and for further study relative to such flood control, shall not exceed twenty years, as recommended by the governor in a message to the general court dated May twenty-ninth, nineteen hundred and thirty-seven, in pursuance of section three of Article LXII of the amendments to the constitution.

SECTION 2. The term of the bonds which the state treasurer is authorized to issue under chapter four hundred and twenty-three of the acts of the current year, as amended, providing for the acquisition of property for flood control purposes in the Merrimack River Valley, for compliance by the commonwealth with the interstate compact relative thereto, and for further study relative to such flood control, shall not exceed twenty years, as recommended by the governor in a message to the general court dated May twenty-ninth, nineteen hundred and thirty-seven, in pursuance of section three of Article LXII of the amendments to the constitution.

SECTION 3. The term of the bonds, notes and other forms of written acknowledgment of debt which the state treasurer is authorized to issue under chapter four hundred and thirty-three of the acts of the current year, relative to the construction of additional sewers in the north metropolitan sewerage district, shall not exceed twenty years, as recommended by the governor in a message to the general court dated May twenty-ninth, nineteen hundred and thirty-seven, in pursuance of section three of Article LXII of the amendments to the constitution.

Approved May 29, 1937.

RESOLVES.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING SECURITY FOR PAYMENT FOR MATERIAL EMPLOYED IN THE CONSTRUCTION OR REPAIR OF BUILDINGS. *Chap. 1*

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered nine hundred and seventy-nine, relative to providing security for payment for material employed in the construction or repair of buildings, and to include its conclusions and recommendations in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved March 19, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE LIABILITY OF OWNERS AND OPERATORS OF AIRCRAFT IN CASE OF ACCIDENT. *Chap. 2*

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered fourteen hundred and thirty-four, relative to the liability of owners and operators of aircraft in case of accident, and to include its conclusions and recommendations in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved March 19, 1937.

RESOLVE PROVIDING FOR A FURTHER INVESTIGATION AND STUDY BY AN UNPAID SPECIAL COMMISSION RELATIVE TO THE PROBLEMS OF TAXATION AND OF PUBLIC EXPENDITURES. *Chap. 3*

Resolved, That an unpaid special commission, hereinafter called the commission, consisting of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and three persons to be appointed by the governor, is hereby established, to be known as the Special Commission on Taxation and Public Expenditures. The commission shall make an investigation and study of the general subject of taxation in the commonwealth and its political subdivisions, and of the general subject of public expenditures therein; including among other things the assessment and collection of taxes by the commonwealth and its political subdivisions and the distribution of such taxes, the nature, purposes, origin and growth of public expendi-

tures, the laws and practices relating to budgets, accounting, personnel, contractual services and purchasing; the functions and activities of departments, officers, commissions and boards of the commonwealth and its political subdivisions, and the fiscal relations between the commonwealth and such subdivisions; and generally shall investigate and study the entire problem of taxation and public expenditures with a view to alleviating the burden thereof.

The commission shall also investigate and study the subject matter of the initiative petitions, now pending before the general court, proposing constitutional amendments limiting the rate of taxation on real estate and restricting the use of certain motor vehicle revenues to highway purposes.

The commission may hold public hearings and may call upon officials of the commonwealth or its subdivisions for such information as it may desire in the course of its investigation and study. The commission shall be provided with quarters in the state house or elsewhere and shall have the power to summon witnesses and to require the production of books, records, contracts and papers and the giving of testimony under oath. The commission may expend for expert, clerical and other services and expenses, the sum of fifteen thousand dollars, which sum is hereby appropriated from the general fund or revenue of the commonwealth.

The commission shall report to the general court the results of its investigation and study, and its recommendations of such laws or regulations as it believes will promote efficiency and economy in the conduct of government in the commonwealth and its political subdivisions and will effect more equitable taxation, and bring about improved methods of assessing, collecting and distributing public revenues. Said report and recommendations, together with drafts of legislation necessary to carry said recommendations into effect, shall be filed with the clerk of the house of representatives not later than February fifteenth, nineteen hundred and thirty-eight. The commission may, from time to time, submit special reports and recommendations on specific subjects included within the provisions of this resolve to the governor and council, or submit to the general court special reports and recommendations on such specific subjects, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives during the present session of the general court. *Approved March 29, 1937.*

Chap. 4 RESOLVE PROVIDING FOR A PROCLAMATION BY THE GOVERNOR RELATIVE TO OBSERVANCES DURING THE CURRENT YEAR IN COMMEMORATION OF THE DISTINGUISHED PUBLIC SERVICE OF HORACE MANN.

Whereas, Horace Mann served with marked distinction as a member of the General Court during the years eighteen

hundred and twenty-seven to eighteen hundred and thirty-seven and was the president of the senate in the years eighteen hundred and thirty-six and eighteen hundred and thirty-seven; and

Whereas, In the year eighteen hundred and thirty-seven he accepted the secretaryship of the board of education of this commonwealth, which board was established in said year; and

Whereas, His labor in behalf of free education and improved standards of instruction have immortalized his name; and

Whereas, The year nineteen hundred and thirty-seven in educational circles throughout the nation will be marked as a year of celebration in his honor; and

Whereas, It is highly fitting that this commonwealth express its appreciation of Horace Mann and his distinguished service and devotion to the public service and to the cause of education; therefore be it

Resolved, That the governor is hereby requested to set apart a day during the current year, to be designated Horace Mann Day, and issue a proclamation recommending that said day be observed by the people with appropriate exercises in the public schools and otherwise commemorative of the life and work of said Horace Mann.

Approved April 6, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ATTACHMENTS OF WAGES, AND CERTAIN RELATED MATTERS. *Chap. 5*

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered forty-nine and current house documents numbered seven hundred and twenty-three, eight hundred and forty-two, eight hundred and forty-three, eleven hundred and twenty-one and fourteen hundred and thirty-six, relative to attachments of wages, and certain related matters, and to include its conclusions and recommendations in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved April 7, 1937.

RESOLVE IN AID OF THE GRAND ARMY OF THE REPUBLIC, DEPARTMENT OF MASSACHUSETTS. *Chap. 6*

Resolved, That, subject to appropriation, there be allowed and paid from the treasury of the commonwealth a sum not exceeding one thousand dollars, in addition to any unexpended balance remaining from any amount heretofore appropriated for the same purpose, to aid in defraying the expenses of the Grand Army of the Republic, Department of Massachusetts. Payments for such aid shall be made upon

the presentation to the comptroller of vouchers therefor, approved by the assistant adjutant general and the commander of said department. *Approved April 7, 1937.*

Chap. 7 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE WHOLE MATTER OF THE MENTALLY DISEASED IN THEIR RELATION TO THE COMMONWEALTH, INCLUDING ALL PHASES OF THE WORK OF THE DEPARTMENT OF MENTAL DISEASES.

Resolved, That an unpaid special commission, consisting of seven persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the whole matter of the mentally diseased in their relation to the commonwealth, including all phases of the work of the department of mental diseases, particularly as set forth in so much of the address of His Excellency, the Governor, printed as current senate document number one, as relates to mental diseases. Said commission shall hold hearings, may require of the department of mental diseases and such other departments and such commissions or officers of the commonwealth as have or can obtain information in relation to the subject matter of this resolve such assistance as may be helpful in the course of its investigation and study, may require by summons the attendance and testimony of witnesses and the production of such books and papers as relate to the matter under investigation. Said commission shall be provided with quarters in the state house or elsewhere and may expend for legal, clerical and other services and expenses, such sums, not exceeding, in the aggregate, seven thousand dollars, as may hereafter be appropriated. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives not later than the first Wednesday of December in the current year. *Approved April 7, 1937.*

Chap. 8 RESOLVE IN FAVOR OF THE WIDOW OF THE LATE ALBERT O. BOYER.

Resolved, That, for the purpose of promoting the public good and in consideration of his meritorious service in the general court of this commonwealth, there be allowed and paid out of the treasury of the commonwealth to the widow of the late Albert O. Boyer, who died while a member of the present house of representatives, the balance of the salary to which he would have been entitled had he lived and served until the end of the current session.

Approved April 13, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE ORGANIZATION OF THE MASSACHUSETTS BAR. *Chap. 9*

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered two hundred and eighteen and current house documents numbered one hundred and thirty-nine and two hundred and nineteen, relative to the organization of the Massachusetts bar, and to include its conclusions and recommendations in relation thereto, with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved April 13, 1937.

RESOLVE PROVIDING FOR THE ACCEPTANCE BY THE COMMONWEALTH OF A TABLET COMMEMORATING THE PUBLIC SERVICES RENDERED BY JAMES JACKSON STORROW AND THE PLACING OF SUCH MEMORIAL TABLET IN THE STATE HOUSE. *Chap. 10*

Resolved, That a memorial tablet commemorating the public services of James Jackson Storrow, a public spirited citizen, who died on March thirteenth, nineteen hundred and twenty-six, proposed to be presented to the commonwealth by The West End House, Inc., be accepted and placed in some appropriate location in the state house, to be designated by the art commission for the commonwealth; provided, that said tablet be approved by it.

Approved April 13, 1937.

RESOLVE IN FAVOR OF THE LYNN CHAPTER OF THE YANKEE DIVISION VETERANS' ASSOCIATION. *Chap. 11*

Resolved, That, for the purpose of discharging the moral obligation of the commonwealth in the premises and after an appropriation has been made therefor, there be allowed and paid out of the treasury of the commonwealth to the Lynn Chapter of the Yankee Division Veterans' Association a sum not exceeding four hundred and ninety-four dollars and seventy-seven cents, to reimburse it in part for expenses incurred by it in the dedication of the General Clarence R. Edwards bridge in the year nineteen hundred and thirty-six.

Approved April 13, 1937.

RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION TO BE MADE BY THE SPECIAL COMMISSION ON TAXATION AND PUBLIC EXPENDITURES. *Chap. 12*

Resolved, That the special commission on taxation and public expenditures, established by chapter three of the resolves of the current year to investigate and study relative to the problems of taxation and of public expenditures, shall,

in carrying out its work under said resolve, consider the subject matter of current house document numbered fifteen hundred and ninety-four, being the report of the special commission established by chapter seventy-two of the resolves of nineteen hundred and thirty-six to investigate and study said problems, and also the subject matter of current house document numbered seven hundred and seventy-six, relative to the collection of water rates, and of current house document numbered nine hundred and nine, relative to the partial exemption of certain dwelling houses from taxation.

Approved April 16, 1937.

Chap. 13 RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO THE IMPROVEMENT OF CONDITIONS AT MUSQUASHIAT POND, SOMETIMES CALLED MUSQUASHCUT POND, IN THE TOWN OF SCITUATE.

Resolved, That the department of public health and the department of public works, acting as a joint board, are hereby authorized and directed to consider and formulate a plan for the improvement of conditions at Musquashiat pond, sometimes called Musquashcut pond, located in the town of Scituate and for such purpose shall consider the questions (1) of dredging the said pond, (2) of improving its outlet and (3) of treating the pond with chemicals for the removal of microscopic growths and for the correction of the fly nuisance. For the purposes of this resolve, said board may enter on any land adjoining or abutting said pond and its outlet which it may desire to survey or examine, and may expend for engineering and other expenses, including chemicals, such sums, not exceeding, in the aggregate, three thousand dollars, as may hereafter be appropriated therefor. Said board shall report to the general court its findings and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved April 16, 1937.

Chap. 14 RESOLVE RELATIVE TO THE DISPOSITION OF CERTAIN STATE HISTORICAL PUBLICATIONS FOR WHICH THERE IS NOW NO PUBLIC DEMAND.

Resolved, That, when in the opinion of the state secretary and the chairman of the commission on administration and finance, public demand for any historical work published under any special act or resolve more than five years prior to the effective date of this resolve and distributable under the supervision of the state secretary, has ceased to exist, the copies of such publication remaining in the hands of the state secretary may, at their discretion, be sold at a price to be fixed by them or be otherwise disposed of.

Approved April 16, 1937.

RESOLVE AUTHORIZING THE ALCOHOLIC BEVERAGES CONTROL COMMISSION TO ORDER THE REFUNDING OF A PART OF A CERTAIN LICENSE FEE TO CHARLES J. DRAPER OF BELMONT. *Chap. 15*

Resolved, That the alcoholic beverages control commission may order refunded to Charles J. Draper of Belmont, former partner in, and assignee of the assets of, a partnership formerly doing business as Gray-Draper Company, which applied for and received a license from said commission on or about February tenth, nineteen hundred and thirty-four, under section eighteen of chapter one hundred and thirty-eight of the General Laws, a part of the fee paid by it for such license which is proportionate to that portion of the year nineteen hundred and thirty-four subsequent to June twenty-third, said partnership having exercised no right, power or privilege under said license after said June twenty-third. Any sum ordered refunded as aforesaid shall be paid, without appropriation, from any available funds in the treasury of the commonwealth upon order of said commission, certified by the comptroller.

Approved April 26, 1937.

RESOLVE PROVIDING FOR THE DISTRIBUTION OF THE TERCENTENARY EDITION OF THE GENERAL LAWS TO CERTAIN MEMBERS OF THE PRESENT GENERAL COURT. *Chap. 16*

Resolved, That the state secretary, in distributing the Tercentenary Edition of the General Laws to members of the general court in accordance with chapter fifty-three of the resolves of nineteen hundred and thirty-two, shall also distribute, upon written request, one copy thereof, and of the index thereto, to each member of the present general court who was not a member of the general court during any of the years nineteen hundred and thirty-one to nineteen hundred and thirty-six, inclusive.

Approved April 26, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION BY AN UNPAID SPECIAL COMMISSION RELATIVE TO THE PARTICIPATION BY THE COMMONWEALTH IN THE WORLD'S FAIR TO BE HELD IN NEW YORK CITY IN THE YEAR NINETEEN HUNDRED AND THIRTY-NINE. *Chap. 17*

Resolved, That a special unpaid commission, consisting of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation relative to participation by the commonwealth in the World's Fair to be held in New York city in the year nineteen hundred and thirty-nine. Said commission shall investigate particularly with

reference to exhibiting at said World's Fair the arts, industries, institutions, resources, products and general development of the commonwealth as provided in current senate document numbered sixty and current house documents numbered two hundred and twenty-six, two hundred and twenty-seven and six hundred and fifty-four. Said commission may expend, subject to appropriation, for clerical and other assistance and expenses, including travel within and without the commonwealth, such sums, not exceeding, in the aggregate, twenty-five hundred dollars, as may be approved by the governor and council. Said commission may hold public hearings, shall be furnished with quarters in the state house or elsewhere and shall report to the general court the results of its investigation and its recommendations relative thereto, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the current year. *Approved April 26, 1937.*

Chap. 18 RESOLVE PROVIDING FOR THE PLACING OF BRONZE LETTERING UNDER THE MURAL PAINTING IN THE STATE HOUSE REPRESENTING THE OFFICIAL INSIGNIA OF THE DISABLED AMERICAN VETERANS OF THE WORLD WAR.

Resolved, That there may be expended from the treasury of the commonwealth, under the direction of the art commission and the superintendent of buildings, subject to appropriation, a sum not exceeding four hundred dollars for the purpose of placing in the state house, under the mural painting representing the official insignia of the Disabled American Veterans of the World War, bronze lettering to harmonize with that appearing under the mural paintings in close proximity thereto. *Approved April 29, 1937.*

Chap. 19 RESOLVE PROVIDING FOR THE MAKING AND PLACING IN THE STATE HOUSE OF A MURAL PAINTING COMMEMORATING THE SACRIFICES OF WORLD WAR MOTHERS.

Resolved, That there may be expended from the treasury of the commonwealth, under the direction of the art commission and the superintendent of buildings, subject to appropriation, a sum not exceeding five hundred dollars for the purposes of purchasing necessary materials for a suitable mural painting commemorating the sacrifices of World War mothers, and properly placing such mural painting in the state house and placing under such mural painting when in position bronze lettering to harmonize with that appearing under other mural paintings in close proximity thereto. *Approved April 29, 1937.*

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO THE MAKING OF FURTHER IMPROVEMENTS AT MALIBU BEACH, SO CALLED, LOCATED WESTERLY OF THE OLD COLONY PARKWAY IN THE DORCHESTER DISTRICT OF THE CITY OF BOSTON. Chap. 20

Resolved, That the metropolitan district commission is hereby authorized and directed to investigate the advisability of making further improvements at or near Malibu beach, so called, located westerly of the Old Colony parkway in the Dorchester district of the city of Boston. Said commission shall report to the general court the results of its investigation, and its recommendations, if any, together with estimates of cost and drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 11, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION AND REPORT BY THE DEPARTMENT OF PUBLIC HEALTH ON THE QUESTION OF DREDGING AND DEEPENING THE CHANNEL OF A PART OF THE NEPONSET RIVER IN THE TOWN OF NORWOOD OR ALTERING THE COURSE THEREOF. Chap. 21

Resolved, That the department of public health is hereby authorized and directed to investigate and study the subject of the further dredging and deepening of that part of the Neponset river lying in the town of Norwood between state highway route number one and Trap Hole brook, so called, including the question of the desirability of altering all or any part of the course and channel of said river between said points, and in connection therewith to make such survey or surveys as may be necessary or desirable to enable it to make a report thereon. Said department shall report the results of its investigation and study to the general court by filing its report, with plans and estimates of cost, with the clerk of the house of representatives not later than the first Wednesday of December in the current year. For the purpose of carrying out the provisions of this resolve, said department may expend, subject to appropriation, sums not exceeding, in the aggregate, twenty-two hundred dollars.

Approved May 11, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO THE REMOVAL OF THE ATLANTIC AVENUE SECTION, SO CALLED, OF THE ELEVATED RAILWAY STRUCTURE IN THE CITY OF BOSTON. Chap. 22

Resolved, That a special commission, to consist of the chairman of the board of trustees of the Boston metropolitan district, the chairman of the transit department of the city of Boston, the corporation counsel of said city, the chair-

man of the State Street Committee, and one member of the metropolitan transit council to be chosen by said council, is hereby established for the purpose of investigating relative to the removal of the elevated railway structure of the Boston Elevated Railway Company located on Commercial street, Atlantic avenue, Beach street, Harrison avenue and certain other public and private lands or ways, commonly known as the Atlantic avenue section of the elevated railway structure in said city. In making said investigation said commission is requested to ascertain the attitude of the board of directors of said railway company with respect to such removal, and said commission may consider any and all problems and matters in any way germane to such removal. Said commission shall also consider the subject matter of current house document numbered sixteen hundred and nineteen. Said commission shall report to the general court the results of its investigation, and its recommendations, if any, together with estimates of cost and drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 12, 1937.

Chap. 23 RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION TO PREPARE PLANS AND PROGRAMS FOR THE CELEBRATION IN THIS COMMONWEALTH OF THE THREE HUNDREDTH ANNIVERSARY OF THE FIRST PERMANENT SETTLEMENT IN THIS COUNTRY OF THE SWEDISH COLONISTS.

Resolved, That the special unpaid commission established by chapter seventy-four of the resolves of nineteen hundred and thirty-six to devise plans and programs for the celebration by the commonwealth of the three hundredth anniversary of the first permanent settlement in this country of the Swedish colonists is hereby revived and continued, and the final report of said commission, together with drafts of legislation necessary to carry its recommendations into effect, shall be filed with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 12, 1937.

Chap. 24 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO CERTAIN PROPOSED HIGHWAY AND OTHER TRAFFIC IMPROVEMENTS IN THE COMMONWEALTH AND CERTAIN RELATED MATTERS.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study of the subject matter of current senate documents numbered fourteen, sixteen, thirty-five, one hundred and eighteen, one hundred and twenty, one hundred and sixty-two, one hundred and sixty-three, one hundred and sixty-seven, two

hundred and thirteen, two hundred and fifty-two and current house documents numbered two hundred and fifty, two hundred and fifty-eight, three hundred and two, three hundred and thirty-nine, three hundred and ninety-one, three hundred and ninety-two, four hundred and eighteen, six hundred and fourteen, seven hundred and six, eight hundred and twenty-two, eight hundred and twenty-three, eight hundred and twenty-four, eight hundred and twenty-five, nine hundred and fifty-seven, nine hundred and sixty-one, nine hundred and sixty-two, nine hundred and sixty-four, nine hundred and sixty-five, nine hundred and sixty-six, nine hundred and sixty-seven, nine hundred and sixty-eight, one thousand and ninety-six, one thousand and ninety-seven, twelve hundred and thirty-eight, thirteen hundred and forty-four, thirteen hundred and forty-five, thirteen hundred and forty-nine, fourteen hundred and twenty-six, fourteen hundred and twenty-seven, fifteen hundred and forty-six, fifteen hundred and forty-seven and sixteen hundred and sixteen, relative to certain proposed highway and other traffic improvements in the commonwealth. Said department may also study and investigate such other highway and traffic improvements related to the specific projects included within the subject matter of said senate and house documents as it may deem necessary or desirable. Said department in carrying out its investigation and study hereunder shall consider particularly as to whether public convenience requires the construction or carrying out of said proposed highway and other traffic improvements, or of any of them, and if so, it shall determine as to each of said projects (1) the probable cost; (2) how the cost of said improvements, and of land takings if necessary therefor, should be apportioned; (3) by whom said improvements should be made; and (4) by whom said improvements should be maintained upon their completion. Any program of projects which may be recommended by said department hereunder shall have the several projects listed in the order of their respective importance and necessity as determined by said department. Said department may prepare such maps and plans as it may deem necessary or desirable in connection with any project or projects recommended by it hereunder. Said department shall also investigate and study the subject matter of current senate documents numbered forty-six, one hundred and nineteen and one hundred and sixty-six and current house documents numbered two hundred and thirty-seven, nine hundred and sixty-three and twelve hundred and thirty-seven, relative to the care, maintenance and control of certain existing state highways, the subject matter of current house document numbered six hundred and twelve, relative to increasing the amount of state aid for the repair and improvement of public ways in small towns, the subject matter of current house document numbered nine hundred and fifty-eight, relative to providing for uniform traffic signs, lights, markings, signal systems and regulations and the

subject matter of current house document numbered two hundred and fifty-nine, relative to the further development of the Boston airport, so called. Said department shall report to the general court its findings and its recommendations, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 12, 1937.

Chap. 25 RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO THE MATTER OF REQUIRING THE APPROVAL BY THE GENERAL COURT OF RULES AND REGULATIONS OF STATE DEPARTMENTS, COMMISSIONS, BOARDS AND OFFICIALS.

Resolved, That a special unpaid commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, two persons to be appointed by the governor, and the chairman of the commission on administration and finance, is hereby established for the purpose of investigating the subject matter of current senate document numbered fifty-nine, relative to requiring the approval by the general court of rules and regulations of state departments, commissions, boards and officials. Said commission shall report to the general court the results of its investigation, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 12, 1937.

Chap. 26 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO CONTRIBUTORY PENSIONS FOR EMPLOYEES OF THE COMMONWEALTH AND OF THE METROPOLITAN DISTRICT COMMISSION.

Resolved, That the commissioner of insurance or an assistant to be designated by said commissioner, the director of the division of accounts in the department of corporations and taxation or an assistant to be designated by said director, and the executive secretary of the state board of retirement, acting as a special commission, are hereby authorized and directed to make a survey and study of the provisions of the General Laws providing for a contributory retirement system for employees of the commonwealth and of the metropolitan district commission, with a view to recommending such changes in said provisions of law, or such additions thereto, as said commission may deem advisable. In making its investigation and study hereunder, said commission shall consider the subject matter of current house documents num-

bered four hundred and thirty-four, eight hundred and eighty-one, one thousand and twenty-two and fourteen hundred and sixty-nine. Said commission shall also consider the subject matter of current house document numbered five hundred and thirteen, relative to the retirement of members of the division of state police. Said commission may expend, with the approval of the governor and council, for expenses and expert, actuarial, clerical and other assistance such sums, not exceeding, in the aggregate, twenty-five hundred dollars, as may hereafter be appropriated. Said commission shall report to the general court its findings and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 12, 1937.

RESOLVE RELATIVE TO CERTAIN IMPROVEMENTS IN EDGARTOWN HARBOR.

Chap. 27

Resolved, That, after an appropriation has been made, there be allowed and paid out of the treasury of the commonwealth for the improvement of Edgartown harbor, in accordance with a project of the federal government, ten thousand dollars; provided, that no part of said amount shall be expended until the congress of the United States shall have appropriated the sum of ten thousand dollars for the improvement aforesaid, and the town of Edgartown shall have appropriated and paid into the state treasury five thousand dollars as a contribution toward said improvement and shall have agreed to provide, free of cost, suitable areas for the disposal of the dredged material. When congress shall have made the appropriation and the town of Edgartown its contribution and agreement, the fifteen thousand dollars hereby provided shall be placed to the credit of the secretary of war of the United States as a cash deposit, for the improvement of Edgartown harbor.

Approved May 18, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE DEPARTMENT OF PUBLIC HEALTH, IN CO-OPERATION WITH THE CITY OF WALTHAM AND THE TOWN OF LEXINGTON, RELATIVE TO MEANS AND METHODS OF REMEDYING THE POLLUTION OF A GREAT POND KNOWN AS HARDY POND, SITUATED IN THE CITY OF WALTHAM AND DRAINING A PART OF THE TOWN OF LEXINGTON.

Chap. 28

Resolved, That the department of public health, in co-operation with the city of Waltham and the town of Lexington, is hereby authorized and directed to investigate and study the best and most feasible means and methods of remedying the pollution of Hardy pond, a great pond, the drainage area of which is situated in the city of Waltham

and in the town of Lexington, such pollution being due to conditions described in a report of the metropolitan district commission to the general court, printed as house document numbered two hundred and thirty of the current year. Said department shall report to the general court the results of its investigation and study and its recommendations, including estimates of cost and drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 18, 1937.

Chap. 29 RESOLVE RELATIVE TO CERTAIN IMPROVEMENTS IN CUTTYHUNK HARBOR.

Resolved, That, after an appropriation has been made, there be allowed and paid out of the treasury of the commonwealth for the improvement of Cuttyhunk harbor in accordance with a project of the federal government, seven-teen thousand dollars; provided, that no part of said amount shall be expended until the congress of the United States shall have appropriated the sum of forty-five thousand five hundred dollars for the improvement aforesaid, and the town of Gosnold shall have appropriated and paid into the state treasury twenty-five hundred dollars as a contribution toward said improvement and shall have agreed to provide, free of cost, suitable areas for the disposal of the dredged material. When congress shall have made the appropriation and the town of Gosnold its contribution and agreement, the nineteen thousand five hundred dollars hereby provided shall be placed to the credit of the secretary of war of the United States as a cash deposit, for the improvement of Cuttyhunk harbor.

Approved May 18, 1937.

Chap. 30 RESOLVE PROVIDING FOR THE CONSIDERATION BY THE COMMISSION ON INTERSTATE COMPACTS AFFECTING LABOR AND INDUSTRIES OF CERTAIN PROBLEMS RELATING TO THE EMPLOYMENT OF PERSONS AND THE PRESERVATION OF FREEDOM AND EQUALITY OF BARGAINING POWER.

Resolved, That the commission on interstate compacts affecting labor and industries is hereby directed to consider the problem of forbidding the inclusion in contracts relative to employment imposed by certain persons, firms or corporations, of provisions which virtually deny to employees or persons seeking employment and who sign their names to said contracts, their economic freedom in exercising their right to work and to the freedom of contract provided in the constitution of the United States; and also to seek the co-operation of the interstate conference on labor compacts in the prohibiting of such discrimination by forbidding the inclusion in such contracts of the following excessive limitations:

That the amount, basis and method of compensation may be changed at any time by the person, firm or corporation offering to grant such employment.

That said person, firm or corporation may, with or without cause, discharge the person who signed said contract.

That said seeker after employment agrees that he will not engage in like employment or any like business, in any of its branches, in the city or town or in the county wherein said contract is applicable, until twelve months from the date upon which he leaves the service of said person, firm or corporation.

Approved May 18, 1937.

RESOLVE PROVIDING FOR THE ESTABLISHMENT OF CERTAIN IMPROVEMENTS IN THE CHARLES RIVER BASIN AS MEMORIALS TO JAMES J. STORROW. *Chap. 31*

Resolved, That, in perpetuation of the memory of the late James J. Storrow, one of the chief sponsors of the Charles River basin, the improvements made therein as authorized by Part I of chapter three hundred and seventy-one of the acts of nineteen hundred and twenty-nine, between Longfellow bridge and Cottage Farm bridge, singly and collectively, shall be known as the Storrow Memorial Embankment, and the metropolitan district commission is hereby authorized to select and to so designate certain features of said improvements by placing thereat or thereon suitable markers.

Approved May 18, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO THE ACTIVITIES WITHIN THIS COMMONWEALTH OF COMMUNISTIC, FASCIST, NAZI AND OTHER SUBVERSIVE ORGANIZATIONS, SO CALLED. *Chap. 32*

Resolved, That a special unpaid commission, to consist of three members of the senate to be designated by the president thereof, five members of the house of representatives to be designated by the speaker thereof, and three persons to be appointed by the governor, is hereby established for the purpose of investigating the activities within this commonwealth of Communistic, Fascist and Nazi organizations, so called, and all other organizations promoting, furthering or participating in any movements which are subversive to our American form of government, or which advocate theories or doctrines contrary to and inconsistent with the constitutions of this commonwealth and the United States, or either of them, particularly the sources and extent of the propagation of the doctrines, principles and theories of said organizations by speech or by the exhibition, distribution or promulgation of written or printed documents, or otherwise. Said commission shall consider what means or action, if any, the commonwealth should take to combat and abate the spreading of such un-American doctrines, principles and theories within the limits of this common-

wealth. Said commission shall have the power to summon witnesses, require the production of books, records, contracts and papers, and require the giving of testimony under oath. Said commission may expend for expenses and legal, clerical and other assistance such sums, not exceeding, in the aggregate, three thousand dollars, as may hereafter be appropriated. Said commission shall report to the general court the results of its investigations, and its findings, and its recommendations for legislation or other official action, together with drafts of such legislation as may be necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 18, 1937.

Chap. 33 RESOLVE PROVIDING FOR A SURVEY AND STUDY BY A SPECIAL COMMISSION OF THE LAWS OF THE COMMONWEALTH RELATING TO THE TRANSPORTATION OF PROPERTY BY MOTOR VEHICLE.

Resolved, That there is hereby established a special unpaid commission to consist of eleven members as follows:— One member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, the director of the division of commercial motor vehicles of the department of public utilities, the commissioner of public works or an associate commissioner of public works designated by said commissioner, and five members to be appointed by the governor in the following manner:— one member from three candidates nominated by the Massachusetts Federation of Labor, one member from three candidates nominated by the Motor Truck Rate Bureau of Massachusetts, Inc., one member from three candidates nominated by The Expressmen's League, one member from three candidates nominated by the Motor Truck Club of Massachusetts, Inc., and one member from three candidates nominated jointly by the Boston and Maine Railroad, the New York, New Haven and Hartford Railroad Company and the Boston and Albany Railroad Company. Said commission shall make a survey and study of the laws of the commonwealth relating to the transportation of property by motor vehicle with a view to making such changes therein or additions thereto as may seem advisable for clarifying or improving said laws. Said commission shall consider particularly the matter of making said laws of the commonwealth consistent and harmonious with the provisions of federal statutes governing interstate highway transportation. Said commission shall also consider the subject matter of current house document numbered fourteen hundred and ninety-nine.

The said commission shall be provided with quarters in the state house or elsewhere, shall hold such hearings as it

may deem expedient, may require by summons the attendance and testimony of witnesses and may expend for clerical, expert and other expenses such sums, not exceeding, in the aggregate, five thousand dollars, as may hereafter be appropriated. The commission shall report to the general court the results of its investigation, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the current year.

Approved May 20, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE ARMORY COMMISSION RELATIVE TO THE ERECTION OF ARMORIES IN THE CITIES OF MELROSE AND CHICOPEE AND RELATIVE TO THE ACQUISITION OF LAND IN THE CITY OF LAWRENCE FOR ARMORY PURPOSES THEREIN. *Chap. 34*

Resolved, That the armory commission is hereby authorized and directed to investigate the subject matter of current senate document numbered three hundred and sixty-four, relative to the erection of a new armory in the city of Melrose, and the subject matter of current senate document numbered twenty-two, relative to the erection of a new armory in the city of Chicopee, with a view to determining suitable locations for and the probable cost of said armories. Said commission shall also consider the subject matter of current house document numbered five hundred and eight, relative to the acquisition of land in the city of Lawrence for armory purposes, with a view to determining the advisability and probable cost of acquiring the parcel of land referred to in said house document or other land in said city for armory purposes therein. Said commission shall report to the general court the results of its investigations hereunder, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year. *Approved May 20, 1937.*

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE DEPARTMENT OF PUBLIC HEALTH RELATIVE TO THE ESTABLISHMENT AND MAINTENANCE IN THE COUNTY OF ESSEX OR MIDDLESEX OF AN INSTITUTION FOR THE CARE AND TREATMENT OF PERSONS SUFFERING FROM CANCER. *Chap. 35*

Resolved, That the department of public health is hereby authorized and directed to investigate the subject matter of current senate document numbered one hundred and thirty-six, relative to the establishment and maintenance in the county of Essex or the county of Middlesex of an institution for the care and treatment of persons suffering from cancer. Said department shall report to the general court the results

of its investigation and its recommendations, if any, together with estimates of cost and drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the current year.

Approved May 20, 1937.

Chap. 36 RESOLVE RELATIVE TO CERTAIN EXPENSES IN CONNECTION WITH THE INTERSTATE LEGISLATIVE ASSEMBLY AND THE COMMISSION ON CONFLICTING TAXATION.

Resolved, That, subject to appropriation, there may be paid out of the state treasury a sum not exceeding one thousand dollars for defraying the expenses of delegates representing the general court in attendance upon sessions of the interstate legislative assembly to be held during the current year and for promoting the purposes of the commission on conflicting taxation authorized and created by said interstate legislative assembly. Such delegates shall not exceed four in number and shall represent the two leading political parties as defined in section one of chapter fifty of the General Laws.

Approved May 24, 1937.

Chap. 37 RESOLVE PROVIDING FOR A SURVEY AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE LAWS OF THE COMMONWEALTH RELATING TO THE PROMOTION AND SALE OF SECURITIES, AND CERTAIN RELATED MATTERS.

Resolved, That a special commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, the attorney general and the chairman of the commission of the department of public utilities, is hereby established for the purpose of making a survey and study of the laws of the commonwealth regulating or otherwise pertaining to the promotion and sale of securities, with a view to bringing said laws into harmony with the Federal Security Act of 1933, so called, so far as may be practicable and desirable, and with a view to the making of any other improvements in said laws that may seem advisable. Said commission shall also consider the subject matter of current house document numbered forty-nine, relative to including mineral deeds, so called, within the provisions of said laws of the commonwealth, and also the subject matter of current senate document numbered one hundred and ninety-five, relative to creating a public trust commission and regulating the disposition of evidences of indebtedness under protective committee agreements, so called. Either the attorney general or the chairman of the commission of the department of public utilities, if he so elects, may designate an officer or employee in his department to serve in his place on said commission. Said commission may expend for expenses and clerical and

other assistance such sums, not exceeding, in the aggregate, fifteen hundred dollars, as may hereafter be appropriated therefor. Said commission shall report to the general court its findings and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 24, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO UNIVERSITY EXTENSION COURSES, CERTIFICATION OF SCHOOL TEACHERS, TEACHER-TRAINING INSTITUTIONS, SO CALLED, EMPLOYMENT BY CITIES AND TOWNS OF VISITING TEACHERS, STATE REIMBURSEMENT OF CITIES AND TOWNS FOR EXPENSES INCURRED FOR INSTRUCTION OF CERTAIN PHYSICALLY HANDICAPPED CHILDREN IN THEIR HOMES, AND FURNISHING OF INSTRUCTION IN LIP READING FOR CERTAIN SCHOOL CHILDREN WHO ARE HARD OF HEARING. *Chap. 38*

Resolved, That a special unpaid commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, three persons to be appointed by the governor, one representative of the department of education to be designated by the commissioner of education and one representative of the department of public welfare to be designated by the commissioner of public welfare, is hereby established for the purpose of making an investigation relative to the subject matter of so much of the governor's address, printed as current senate document numbered one, as relates to university extension courses, the certification of school teachers, and teacher-training institutions, so called, and also the subject matter of current senate document numbered two hundred and ninety-two, relative to said university extension courses, of current house document numbered eight hundred and fifteen, relative to the employment by cities and towns of visiting teachers, of current house document numbered thirteen hundred and thirty-eight, relative to providing for reimbursement by the commonwealth to cities and towns offering instruction to physically handicapped children in their homes and of current house document numbered eight hundred and sixteen, relative to providing instruction in lip reading for hard of hearing children in public and private schools. Said commission, in investigating the subject matter of said current house document numbered eight hundred and sixteen, shall consider particularly whether cities and towns furnishing instruction in lip reading should be reimbursed, in whole or in part, by the commonwealth for expenses incurred therefor. Said commission may expend for clerical and other services and expenses such sums, not exceeding,

in the aggregate, fifteen hundred dollars, as may hereafter be appropriated therefor. Said commission shall report to the general court the results of its investigations hereunder, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives not later than the first Wednesday of December in the current year. *Approved May 26, 1937.*

Chap. 39 RESOLVE PROVIDING FOR THE PAYMENT FROM THE STATE TREASURY OF THE BALANCES OF THE ESTATES OF JOHANNA O'DONNELL, FORMERLY JOHANNA DWYER, AND ANNE MCCANN, WHICH HAVE ESCHEATED TO THE COMMONWEALTH.

Resolved, That, subject to appropriation, there be allowed and paid from the treasury of the commonwealth, under the direction of the attorney general, to the respective heirs at law or next of kin of Johanna O'Donnell, formerly Johanna Dwyer, who died in the city of Chicopee on June ninth, eighteen hundred and ninety-four, and of Anne McCann, who died in the city of Boston on January first, nineteen hundred and ten, or to their respective lawful representatives, such sums as may be found by the attorney general to have been paid into said treasury as the respective balances of the assets belonging to the estates of said Johanna O'Donnell, formerly Johanna Dwyer, and said Anne McCann, under the provisions of section ten of chapter one hundred and ninety-four of the General Laws, or corresponding provisions of earlier laws, notwithstanding the expiration of the time limited by said section for the recovery of such sums. The payment of said sums shall be made only upon the filing with the state treasurer of agreements signed by all persons entitled to payment hereunder that the amount, if any, to be paid for legal services rendered, in each case, in connection with the passage of this resolve shall not exceed ten per cent of said sums. *Approved May 26, 1937.*

Chap. 40 RESOLVE PROVIDING FOR AN INVESTIGATION BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO THE IMPROVEMENT OF THE CHARLES RIVER MEADOWS, SO CALLED, AND THE EXTENSION OF THE VETERANS OF FOREIGN WARS PARKWAY, SO CALLED, INTO THE TOWN OF DEDHAM.

Resolved, That the metropolitan district commission is hereby authorized and directed to investigate the subject matter of current house document numbered seven hundred and thirty-nine, relating to the improvement of the Charles River Meadows, so called, and the extension of the Veterans of Foreign Wars Parkway, so called, into the town of Dedham. Said commission shall report to the general court the results of its investigation, and its recommendations, if any, together with estimates of cost and drafts of legislation necessary to carry said recommendations into effect, by

filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 26, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO THE CIVIL SERVICE LAWS, RULES AND REGULATIONS BY THE SPECIAL COMMISSION ON TAXATION AND PUBLIC EXPENDITURES, AND INCREASING THE MEMBERSHIP OF SAID COMMISSION FOR THE PURPOSES OF SAID INVESTIGATION. *Chap. 41*

Resolved, That the Special Commission on Taxation and Public Expenditures, established by chapter three of the resolves of the current year to investigate and study relative to the problems of taxation and of public expenditures, shall, in carrying out its work, investigate the civil service laws of the commonwealth and the rules and regulations made thereunder, with a view to the revision and codification of said laws, rules and regulations and to the recommending of such changes therein and additions thereto as may appear necessary or desirable. The membership of said commission is hereby increased by four additional members, of whom one shall be a member of the senate to be designated by the president thereof and three shall be members of the house of representatives to be designated by the speaker thereof; provided, that said additional members shall participate in the investigations, report and recommendations of the said commission to the extent only that they relate to said civil service laws, rules and regulations.

Approved May 26, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO THE CONSTRUCTION OF ADDITIONAL SEWERS IN THE NORTH AND SOUTH METROPOLITAN SEWERAGE DISTRICTS. *Chap. 42*

Resolved, That the metropolitan district commission and the department of public health, acting as a joint board, are hereby authorized and directed to investigate the subject matter of current house documents numbered five hundred and four, five hundred and five and five hundred and six, relative to the construction of additional sewers in the north and south metropolitan sewerage districts, including any matter within the scope of the petitions accompanied by said documents which may seem desirable. Said joint board shall report to the general court the results of its investigation and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 26, 1937.

- Chap. 43* RESOLVE PROVIDING FOR AN INVESTIGATION BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO THE CONSTRUCTION OF A TRAFFIC CIRCLE AT THE INTERSECTION OF THE WEST ROXBURY PARKWAY AND GROVE STREET IN THE TOWN OF BROOKLINE.

Resolved, That the metropolitan district commission is hereby authorized and directed to investigate the subject matter of current house document numbered five hundred and fifty-six, relative to the construction of a traffic circle at the intersection of the West Roxbury parkway and Grove street in the town of Brookline. Said commission in making its investigation hereunder shall give particular consideration to the matter of land takings that may be necessary in connection with the construction of said traffic circle. Said commission shall report to the general court the results of its investigation and its recommendations, if any, together with estimates of cost and drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 26, 1937.

- Chap. 44* RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF CONSERVATION RELATIVE TO THE ACQUISITION BY THE COMMONWEALTH OF CERTAIN LAND IN WESTPORT AND ROCKPORT FOR STATE PARK OR RESERVATION PURPOSES AND RELATIVE TO THE ESTABLISHMENT OF A STATE FOREST IN HADLEY AND SOUTH HADLEY.

Resolved, That the department of conservation is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered two hundred and ninety-seven, relative to the acquisition by the commonwealth of certain property at Halibut Point in the town of Rockport for state park or reservation purposes, of current house document numbered two hundred and ninety-eight, relative to the acquisition by the commonwealth of certain property in the town of Westport for state park or reservation purposes, and of current house document numbered seventeen hundred and twenty-six, relative to the establishment of the Mount Holyoke State Forest in the towns of Hadley and South Hadley. Said department in carrying out its investigation and study hereunder shall consider particularly as to whether public convenience requires the carrying out of said projects, or of any of them, and if so, it shall determine as to each of said projects the probable cost thereof and how such cost should be apportioned. Such projects as may be recommended by said department hereunder shall be listed in the order of their respective importance and necessity as determined by said department. Said department shall report to the

general court its findings and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 26, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION BY THE ATTORNEY GENERAL RELATIVE TO THE PAYMENT OF A SUM OF MONEY BY THE CITY OF BOSTON ON ACCOUNT OF THE DEATH OF JOHN MADDEN. *Chap. 45*

Resolved, That the attorney general is hereby authorized and directed to investigate the subject matter of current house document numbered seventeen hundred and eighty-one, relative to authorizing the city of Boston to pay a sum of money to the mother of the late John Madden, and to determine the facts in relation thereto. The attorney general shall report to the general court the results of his investigation, and his recommendations, if any, together with drafts of legislation necessary for carrying said recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the current year.

Approved May 26, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY RELATIVE TO THE PREVENTION AND CONTROL OF OCCUPATIONAL DISEASES. *Chap. 46*

Resolved, That the department of public health and the department of labor and industries, acting as a joint board, shall investigate and study all aspects of occupational diseases with a view to determining methods, ways and means of reducing or controlling the hazard or the likelihood of contracting such diseases. The said joint board shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry the same into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 28, 1937.

RESOLVE PROVIDING FOR A FURTHER INVESTIGATION BY THE DEPARTMENT OF CONSERVATION RELATIVE TO THE ACQUISITION BY THE COMMONWEALTH OF SABBATIA LAKE AND ADJACENT LAND IN THE CITY OF TAUNTON. *Chap. 47*

Resolved, That the department of conservation is hereby authorized and directed to investigate the subject matter of current house document numbered two hundred and seventy-three relative to the taking or acquiring by the commonwealth of all of Sabbatia Lake in the city of Taunton, and to study the advisability of acquiring land adjacent

to said lake, for state reservation purposes. Said department shall report to the general court the results of its investigation and its recommendations, including estimates of cost, and drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 28, 1937.

Chap. 48 RESOLVE IN FAVOR OF THE PARENTS OF FRANCIS S. MURPHY.

Resolved, That, for the purpose of discharging the moral obligation of the commonwealth in the premises, and after an appropriation has been made therefor, there be allowed and paid out of the treasury of the commonwealth to James P. Murphy and Annie Murphy of Melrose, the sum of two thousand dollars on account of the death of their son, Francis S. Murphy, who died April twelfth, nineteen hundred and thirty-five, in consequence of injuries sustained at the Wrentham state school. Said amount shall be paid in weekly instalments of twenty-five dollars each. No payment shall be made hereunder until there shall have been filed with the state treasurer an agreement signed by said James P. Murphy and Annie Murphy that the amount, if any, to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of said sum.

Approved May 28, 1937.

Chap. 49 RESOLVE IN FAVOR OF AGNES L. HARRISON OF BOSTON.

Resolved, That, subject to appropriation, there be allowed and paid from the treasury of the commonwealth to Agnes L. Harrison of Boston, whose husband, John Harrison, was killed by lightning while in the performance of duty as an employee of the military department of the commonwealth, an annuity of six hundred and sixty dollars, payable in equal monthly instalments, so long as she does not remarry, but for a period not longer than five years. No payment shall be made hereunder until there shall have been filed with the state treasurer an agreement signed by said Agnes L. Harrison that the amount, if any, to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of the amounts paid hereunder.

Approved May 28, 1937.

Chap. 50 RESOLVE IN FAVOR OF MARY KINZLER OF CAMBRIDGE.

Resolved, That, for the purpose of discharging the moral obligation of the commonwealth in the premises, and after an appropriation has been made therefor, there be allowed and paid out of the treasury of the commonwealth to Mary Kinzler, of Cambridge, the sum of four thousand dollars on account of the death of her son, Theodore Kinzler, who died

as a result of injuries sustained by him at the state prison on March twelfth, nineteen hundred and thirty-six. Said sum shall be paid in weekly instalments of twenty-five dollars each. No payment shall be made hereunder until there shall have been filed with the state treasurer an agreement signed by said Mary Kinzler that the amount, if any, to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of said sum.

Approved May 28, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL UNPAID COMMISSION RELATIVE TO PROTECTING THE PURITY OF INTERSTATE WATERS USED FOR DRINKING PURPOSES.

Chap. 51

Resolved, That a special unpaid commission to consist of the commissioner of public health, or a representative of his department designated by him, the state secretary, or a representative of his department designated by him, and the attorney general, or a representative of his department designated by him, is hereby authorized and directed to investigate relative to the need of additional legislation for the purpose of protecting the purity of all waters used as sources of public drinking water supply by states adjoining this commonwealth, with a view to reciprocal action by such adjoining states for the benefit of this commonwealth. Said special commission shall report to the general court the results of its investigation and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 28, 1937.

RESOLVE RELATIVE TO THE TRANSFER OF CERTAIN TRUST FUNDS FOR THE PERPETUAL CARE OF LOTS IN QUABBIN PARK CEMETERY IN THE TOWN OF WARE.

Chap. 52

Resolved, That, for the purpose of carrying out the provisions of chapter thirty-three of the resolves of nineteen hundred and thirty-six, the selectmen of any town, the officers of any cemetery corporation and the trustees or other officers of any church or parish, or private or other cemetery, shall, upon written request of the metropolitan district water supply commission or its successors, transfer to the metropolitan district water supply commission or its successors, or to the state treasurer, trust funds established for the benefit or care of any cemetery or lots therein which contained remains removed to Quabbin Park Cemetery in the town of Ware prior to the completion of said cemetery, notwithstanding any provisions of section nine of chapter three hundred and twenty-one of the acts of nineteen hundred and twenty-seven, or any provisions of chapter one hundred and fourteen of the General Laws.

The state treasurer may accept such trust funds and shall, if they are in cash, safely invest them as provided by section thirty-eight of chapter twenty-nine of the General Laws, or, if they are in the form of securities or savings bank deposits, may hold them in their original form or may, with the approval of the governor, sell or convert them and may reinvest the proceeds as provided by said section thirty-eight.

Approved May 28, 1937.

Chap. 53 RESOLVE FURTHER INCREASING THE SCOPE OF THE INVESTIGATION TO BE MADE BY THE SPECIAL COMMISSION ON TAXATION AND PUBLIC EXPENDITURES.

Resolved, That the special commission on taxation and public expenditures, established by chapter three of the resolves of the current year to investigate and study relative to the problems of taxation and of public expenditures, shall, in carrying out its work, consider the subject matter of the bill accompanying a message of the governor to the general court, printed as current house document numbered nineteen hundred and fifty-one, relative to the establishment, powers and duties of housing authorities in the commonwealth.

Approved May 28, 1937.

Chap. 54 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO CERTAIN PROPOSED BRIDGE, TRAFFIC, BATH HOUSE, RECREATIONAL AND OTHER IMPROVEMENTS WITHIN THE METROPOLITAN PARKS DISTRICT, AND RELATIVE TO THE ACQUISITION FOR RECREATIONAL PURPOSES OF CERTAIN PROPERTY IN THE TOWN OF NAHANT.

Resolved, That the metropolitan district commission is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered five hundred and seven, relative to the construction of a building for bath house and recreational purposes at the beach at Gerry's Landing on the Charles river in the city of Cambridge, of current house document numbered seven hundred and five, relative to the installation by the department of public works of traffic lights at the junction of the parkway and Webster avenue in the city of Chelsea, of current house document numbered seven hundred and thirty-seven, relative to dredging and otherwise improving Hemenway's pond in the town of Milton, of current house document numbered ten hundred and seven, relative to the construction of a public lavatory on Winthrop shore drive in the town of Winthrop, of current house document numbered seventeen hundred and thirty-seven, relative to the construction and maintenance of a bath house at Lake Quannapowitt in the town of Wakefield, and to investigate and study relative to the advisability of the acquisition

for reservation purposes by said commission of property in that part of the town of Nahant, commonly known as the Bass Point section. Said commission, in carrying out its investigation and study hereunder, shall consider particularly as to whether public convenience requires the construction or carrying out of said improvements, or of any of them, and if so, it shall determine as to each of said projects (1) the probable cost; (2) how the cost should be apportioned; (3) by whom said improvements should be made; and (4) by whom said improvements should be maintained upon their completion. Any program of projects that may be recommended by said commission hereunder shall have the several projects listed in the order of their respective importance and necessity as determined by said commission. Said commission may prepare such maps and plans as it may deem necessary or desirable in connection with any project or projects recommended by it hereunder. Said commission shall report to the general court its findings and its recommendations, if any, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year. If the said commission determines that any recommendations made by it hereunder require legislation other than an appropriation of money for the carrying out thereof it shall include in its report drafts of such legislation as may be necessary.

Approved May 28, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY DURING THE RECESS OF THE GENERAL COURT BY THE COMMITTEE ON THE JUDICIARY RELATIVE TO THE DISTRICT COURT SYSTEM OF THE COMMONWEALTH. Chap. 55

Resolved, That the committee on the judiciary is hereby authorized to sit during the recess of the general court to make an investigation and study of the district court system of the commonwealth with a view to recommending such changes in said system as it may deem necessary or desirable. Said committee shall also consider the matter of salaries of justices, special justices, clerks and assistant clerks of district courts and also the matter of providing pensions for special justices of said courts. In making its investigation and study hereunder, said committee shall consider the subject matter of so much of the governor's address, printed as current senate document numbered one, as relates to the reorganization and consolidation of the district courts and providing full time service with adequate compensation for justices, so much of the twelfth annual report of the judicial council as relates to various plans for reorganizing the district courts, the appointment of auditors in motor tort cases in district courts and to extending limited equity jurisdiction to district courts, and the subject matter of current senate documents numbered one hundred and thirty-two and two hundred and ninety-five and current

house documents numbered three hundred and seventy-seven, four hundred and twenty-one, four hundred and seventy-two, five hundred and thirty-three, nine hundred, eleven hundred and fourteen, twelve hundred and forty-four, twelve hundred and ninety-five, thirteen hundred and sixty and thirteen hundred and ninety-three, and so much of the subject matter of house document numbered seventeen hundred and fifty of the year nineteen hundred and thirty-six as relates to the subject matter of this resolve. Said committee may expend for expenses and clerical and other assistance such sums, not exceeding, in the aggregate, twenty-five hundred dollars, as may hereafter be appropriated. Said committee shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 28, 1937.

Chap. 56 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE COMMITTEE ON THE JUDICIARY DURING THE RECESS OF THE GENERAL COURT RELATIVE TO THE TRIAL OF CIVIL ACTIONS IN DISTRICT COURTS BY JURIES OF SIX.

Resolved, That the committee on the judiciary is hereby authorized to sit during the recess of the general court to make an investigation and study of the subject matter of current senate document numbered seventeen, relative to the trial of civil actions in district courts by juries of six. Said committee shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 28, 1937.

Chap. 57 RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO THE BOSTON PORT AUTHORITY AND RELATIVE TO THE PRODUCTION AND DEVELOPMENT OF THE COMMERCE OF THE PORT OF BOSTON.

Resolved, That a special unpaid commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation relative to the organization, functioning and problems of the Boston Port Authority and relative to ways and means of facilitating the production and development of the commerce of the port of Boston. In making its investigation hereunder, said commission shall

consider the subject matter of so much of the governor's address, printed as current senate document numbered one, as relates to the port of Boston, of current house document numbered four hundred and fifty-five, creating the port of Boston authority and defining its powers and duties, of current house document numbered ten hundred and forty, providing for the more representative character of the membership of the Boston Port Authority, of current house document numbered eleven hundred and sixty-one, creating the Boston Trade and Shipping Commission, of current house document numbered twelve hundred and ninety-eight, relative to the duties of the Boston Port Authority, and of current house document numbered eighteen hundred and twenty-five, relative to the construction and maintenance by the department of public works of an additional pier for the purpose of improving and developing the port of Boston. For the purposes of this resolve, said commission may expend such sums, not exceeding, in the aggregate, fifteen hundred dollars, as may hereafter be appropriated therefor. Said commission shall report to the general court the results of its investigation, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 28, 1937.

RESOLVE FURTHER INCREASING THE SCOPE OF THE INVESTIGATION TO BE MADE BY THE SPECIAL COMMISSION ON TAXATION AND PUBLIC EXPENDITURES.

Chap. 58

Resolved, That the special commission on taxation and public expenditures, established by chapter three of the resolves of the current year to investigate and study relative to the problems of taxation and of public expenditures, shall, in carrying out its work, consider the subject matter of current house documents numbered one hundred, one hundred and three, one hundred and four, one hundred and six, two hundred and three, four hundred and sixty-four, four hundred and sixty-six, fourteen hundred and ninety-two and sixteen hundred and eighty-one, relative to certain corporation, income and other taxes, certain excises and certain state and municipal finance matters, and also the subject matter of current house document numbered seventeen hundred and twenty-one, relative to the term of office of certain state officers, of current house document numbered two hundred and eighteen, relative to making the payment of a motor vehicle excise tax previously assessed a prerequisite to the registration of certain motor vehicles, and of current house document numbered four hundred and fifty-eight, relative to an excise on registered trailers in lieu of a local tax.

Approved May 28, 1937.

Chap. 59 RESOLVE PROVIDING FOR A STUDY BY A SPECIAL UNPAID COMMISSION RELATIVE TO THE PROPER PLANNING, LOCATION AND DEVELOPMENT OF AIRPORTS AND TO A DEFINITE POLICY AND PROGRAM WITH RESPECT TO AVIATION AND RELATED MATTERS WITHIN THE COMMONWEALTH.

Resolved, That a special unpaid commission, to consist of one member of the senate to be designated by the president thereof, two members of the house of representatives to be designated by the speaker thereof, and two persons to be appointed by the governor, is hereby established for the purpose of investigating and studying the subject matter of the governor's message, printed as current house document numbered eighteen hundred and fifty-eight, relating to the proper planning, location and development of airports and to a definite policy and program with respect to aviation and related matters within the commonwealth. The commission shall hold public hearings, shall be provided with quarters in the state house or elsewhere, and may expend, with the approval of the governor and council, for clerical and other services and expenses, including travel within and without the commonwealth, such sums, not exceeding, in the aggregate, fifteen hundred dollars, as may hereafter be appropriated. The commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the current year.

Approved May 28, 1937.

Chap. 60 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO CERTAIN PROBLEMS IN THE MERRIMACK VALLEY, SO CALLED.

Resolved, That a special unpaid commission, to consist of the commissioner of public health, the commissioner of the department of public utilities, the commissioner of public works, the commissioner of conservation, or a representative to be designated, in each instance, by such commissioner, and the chairman of the state planning board, is hereby established for the purpose of making an investigation and study relative to certain problems existing within the territory of the cities and towns of Amesbury, Andover, Chelmsford, Dracut, Groveland, Haverhill, Lawrence, Lowell, Merrimac, Methuen, Newbury, Newburyport, North Andover, Salisbury, Tewksbury, Tyngsboro and West Newbury, commonly known as the Merrimack valley. Said commission shall, with respect to said territory, consider the following problems and matters:

- (a) Transportation service and facilities;
- (b) Traffic conditions;

- (c) Establishment and operation of a sewerage district;
- (d) Disposal of waste and refuse;
- (e) Purification of the waters of the Merrimack river;
- (f) The improvement of roads, highways and bridges and the improvement and beautification of roadsides;
- (g) The improvement of waterways, particularly the Merrimack river with a view to making said river navigable;
- (h) Water supply;
- (i) Acquisition and improvement of recreational facilities, including the construction of bath houses and beaches;
- (j) Acquisition of sites for parks, playgrounds, outing groves and camping facilities and providing for winter sports;
- (k) Stocking of waterways for fishing;
- (l) Flood control of the waters of the Merrimack river;
- (m) Soil erosion and conservation; and
- (n) General improvement of natural resources.

Said commission shall also consider the subject matter of current house document numbered fourteen hundred and twenty-one, relative to the establishment of the Merrimack Valley District and the Merrimack Valley District Commissioners. Said commission shall confer with local planning agencies with regard to such of said problems and matters being investigated and studied by it as it may deem necessary or advisable. It shall recommend the method of carrying into effect and financing projects recommended by it and shall make such maps, plans and estimates of cost as may be necessary.

Said commission shall report to the general court the result of its investigation and study hereunder, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the current year.

Approved May 28, 1937.

RESOLVE IN FAVOR OF ALBERT W. ROCKWOOD OF WAKEFIELD. *Chap. 61*

Resolved, That, subject to appropriation, there be allowed and paid out of the treasury of the commonwealth to Albert W. Rockwood, of Wakefield, the sum of twelve thousand six hundred and forty-three dollars and sixty cents, in full payment for legal services rendered by him to the commonwealth in the cases of Commonwealth *vs.* Davis and otherwise, and for expenses incurred or paid by him in connection therewith.

Approved May 28, 1937.

- Chap. 62* RESOLVE PROVIDING FOR AN INVESTIGATION RELATIVE TO THE FURNISHING BY SCHOOL COMMITTEES OF FOOD TO UNDERNOURISHED SCHOOL CHILDREN.

Resolved, That the special commission established by chapter thirty-eight of the resolves of the current year shall, in carrying out its work under said resolve, consider the subject matter of current house document numbered nine hundred and fifty-two, relative to the furnishing by school committees of food to undernourished school children.

Approved May 28, 1937.

- Chap. 63* RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION TO BE MADE BY THE SPECIAL COMMISSION ESTABLISHED TO INVESTIGATE CERTAIN EDUCATIONAL MATTERS.

Resolved, That the special commission established by chapter thirty-eight of the resolves of the current year to investigate certain educational matters, shall, in carrying out its work under said resolve, consider the subject matter of current senate document numbered two hundred and eleven, relative to making certain changes in the law pertaining to vocational education to include distributive occupations and to comply with the provisions of the amended federal laws thereon.

Approved May 28, 1937.

- Chap. 64* RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE STATE BOARD OF HOUSING RELATIVE TO THE PROBLEM OF HOUSING.

Resolved, That the state board of housing shall investigate and study the problem of housing and the expediency and desirability of the establishment in the commonwealth of a uniform compulsory code of laws with relation to the general problems of health, sanitation and construction relative to housing. Said board shall include in its annual report to the general court the results of its investigation and study hereunder and its recommendations, together with drafts of legislation necessary to carry the same into effect.

Approved May 28, 1937.

- Chap. 65* RESOLVE PROVIDING FOR AN INVESTIGATION, RELATIVE TO RAISING THE AGE LIMIT FOR COMPULSORY SCHOOL ATTENDANCE FOR MINORS, BY THE SPECIAL UNPAID COMMISSION, ESTABLISHED TO INVESTIGATE CERTAIN EDUCATIONAL MATTERS.

Resolved, That the special unpaid commission established by chapter thirty-eight of the resolves of the current year shall, in carrying out its work under said resolve, consider the subject matter of current house document numbered

fourteen hundred and nineteen, relative to raising the age limit for compulsory school attendance for minors from fourteen to sixteen years, and related matters of age.

Approved May 28, 1937.

RESOLVE RELATIVE TO THE INVESTIGATION BY THE DEPARTMENT OF PUBLIC HEALTH, IN CO-OPERATION WITH THE FEDERAL WORKS PROGRESS ADMINISTRATION, OF THE SANITARY CONDITION OF CERTAIN RIVERS WITHIN THE COMMONWEALTH. Chap. 66

Resolved, The department of public health is hereby authorized and directed to continue the investigation provided by chapter forty-nine of the resolves of nineteen hundred and thirty-six, in co-operation with the Federal Works Progress Administration, and also to investigate, in co-operation therewith, the sanitary condition of the Ten Mile river in the vicinity of Attleboro, of the French and Quinnebaug rivers in the vicinity of Webster and Dudley, of the Millers river in the vicinity of Northampton, of the Concord and Assabet rivers, of the Nashua river in the vicinity of Fitchburg and Clinton, of the Merrimack river, of the Blackstone river, of the Charles river in the vicinity of Boston, of the Mystic river, of the Neponset river in the vicinity of Dedham, Hyde Park and Mattapan, and of such other rivers within the commonwealth as said department may determine. Said department shall also, in co-operation with said administration, assemble data pertaining to the pollution of the Connecticut river. For the said purposes said department may expend for services, other than personal services, and for traveling expenses, supplies, materials and equipment, such sums, not exceeding, in the aggregate, three thousand dollars, as may hereafter be appropriated therefor, in addition to the unexpended balance of the amount appropriated by item 586b of chapter four hundred and thirty-two of the acts of nineteen hundred and thirty-six. Said department shall report its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect; by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 28, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO THE REGISTRATION OF VOTERS. Chap. 67

Resolved, That a special unpaid commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, the attorney general, the state secretary, the chairman of the Republican state committee, the chairman of the Democratic state committee

and one person to be appointed by the governor, is hereby established for the purpose of recommending legislation designed to establish the identity of voters at the polls, and for the purpose of investigating the matter of the registration of voters, with a view to determining the advisability of providing for a re-registration of voters. If said commission does not deem such re-registration advisable, it shall consider the advisability of providing for a certification of the existing lists of voters. In making its investigation hereunder, said commission shall consider the subject matter of current senate documents numbered two hundred ninety-three and four hundred and twelve. Any member of said commission other than an appointive or legislative member may, if he so elects, designate an officer or employee of his department or committee who shall serve in his place on said commission. Said commission may expend for clerical and other services and expenses such sums, not exceeding, in the aggregate, one thousand dollars, as may hereafter be appropriated. Said commission shall report to the general court the results of its investigation and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 28, 1937.

Chap. 68 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY AN UNPAID SPECIAL COMMISSION OF THE LAWS RELATING TO MILK AND MILK PRODUCTS AND CERTAIN RELATED MATTERS.

Resolved, That an unpaid special commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and three persons to be appointed by the governor, is hereby established for the purpose of making a thorough investigation and study relative to the enforcement and adequacy of the laws of the commonwealth relating to the inspection of dairy farms producing milk and cream for distribution in the commonwealth, to the bonding of milk dealers, to milk control, so called, to the production, transportation, sale and distribution of milk and milk products, and to related matters, with a view to recommending such changes in said laws, or such additions thereto, as the commission may deem advisable. In making its investigation and study hereunder, said commission shall consider the subject matter of so much of the report of the attorney general for the year ending November thirtieth, nineteen hundred and thirty-six, printed as current public document numbered twelve, as relates to authorizing the milk control board to negotiate interstate compacts with states shipping milk into this commonwealth, and also the subject matter of current house document numbered three

hundred and twenty-eight, relative to the sale of surplus milk, so called, and other matters relating to the production and sale of milk. Said commission shall be provided with quarters in the state house or elsewhere, may hold hearings and shall avail itself of the services of the regular clerical staff of the department of agriculture for such clerical assistance as it may need in the course of its investigation. Said commission may travel within and without the commonwealth, and may expend for travel and other necessary expenses incurred by its members in the discharge of their duties hereunder sums, not exceeding in the aggregate, five thousand dollars, to be paid from item two hundred and fifty-two a of chapter two hundred and thirty-four of the acts of the current year. The commission shall report to the general court its findings, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the current year. *Approved May 29, 1937.*

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO CERTAIN HARBOR IMPROVEMENTS IN THE COMMONWEALTH. *Chap. 69*

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study of the subject matter of current senate documents numbered forty-four and eighty-two and of current house documents numbered three hundred and ninety, five hundred and forty-four, six hundred and eleven, eight hundred and twenty, nine hundred and fifty-six, thirteen hundred and forty-two and seventeen hundred and forty-eight, relative to certain proposed harbor improvements in the commonwealth. Said department may also study and investigate such other harbor improvements related to the specific projects included within the subject matter of said senate and house documents as it may deem necessary or desirable. Said department in carrying out its investigation and study hereunder shall consider particularly as to whether or not public convenience requires the construction of any such harbor improvements, or of any of them, and if so, it shall determine as to each of said projects (1) the probable cost; (2) how the cost should be apportioned; and (3) by whom said improvements should be made. Any program of projects that may be recommended by said department hereunder shall have the several projects listed in the order of their respective importance and necessity as determined by said department. Said department may prepare such maps and plans as it may deem necessary or desirable in connection with any project or projects recommended by it hereunder. For the purposes of this resolve, said department may expend such sums, not exceeding, in the aggregate, twenty-five hundred dollars, as may hereafter be appropriated therefor. Said

department shall report to the general court its findings and its recommendations, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 29, 1937.

Chap. 70 RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO CERTAIN LABOR MATTERS.

Resolved, That a special unpaid commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof, and three persons to be appointed by the governor is hereby established for the purpose of making an investigation of the subject matter of current house document numbered seventeen hundred and forty-five relative to promotion of equality of bargaining power between employer and employee, diminishing the causes of industrial disputes by encouraging collective bargaining and by other means, and creating a labor relations commission.

Said commission shall be provided with quarters in the state house or elsewhere, shall hold such hearings as it may deem expedient, may require by summons the attendance and testimony of witnesses and the production of books and papers and may expend for clerical, expert and other expenses such sums, not exceeding, in the aggregate, twenty-five hundred dollars, as may hereafter be appropriated. The commission shall report to the general court the results of its investigation, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 29, 1937.

Chap. 71 RESOLVE PROVIDING FOR AN INVESTIGATION BY A SPECIAL COMMISSION RELATIVE TO THE LAWS REGULATING THE CONSTRUCTION, ALTERATION AND MAINTENANCE OF BUILDINGS AND OTHER STRUCTURES IN THE CITY OF BOSTON.

Resolved, That a special unpaid commission, to consist of one member of the senate to be designated by the president thereof, three members of the house of representatives to be designated by the speaker thereof and three persons to be appointed by the mayor of the city of Boston, all of which appointees shall be residents of said city, is hereby established to investigate the subject matter of current house document numbered seven hundred and thirty-six, relating to the laws governing the construction and maintenance of buildings and other structures in the city of Boston. For said purposes said commission may expend such sums, not exceeding, in the aggregate, one thousand dollars, as may hereafter be

appropriated therefor. Said commission shall report to the general court the results of its investigation, and its recommendations, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 29, 1937.

RESOLVE AUTHORIZING AN EXTENSION OF CERTAIN LEASES TO
THE CITY OF BOSTON OF CERTAIN STATE LANDS IN EAST
BOSTON FOR AIRPORT AND SEAPLANE PURPOSES. *Chap. 72*

Resolved, That the department of public works, subject to such terms, conditions and restrictions as the governor and council may approve, is hereby authorized to extend certain leases, for airport and seaplane purposes, between the commonwealth and the city of Boston, of lands of the commonwealth in that part of said city called East Boston, as hereinafter provided. The lease made on August tenth, nineteen hundred and twenty-eight, under the provisions of chapter sixty-four of the resolves of nineteen hundred and twenty-eight may be extended for an additional term of not more than twenty years, and, if said lease is so extended, the lease made on July fourteenth, nineteen hundred and thirty, under the provisions of chapter fifty-three of the resolves of nineteen hundred and thirty shall be extended for an additional term expiring simultaneously with the extended term of said first mentioned lease; provided, that for money expended by the city of Boston during the extended terms, beginning with the year nineteen hundred and forty-eight on account of said lands, said city shall not be reimbursed by the commonwealth at the expiration of said extended terms.

Approved May 29, 1937.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY
A SPECIAL COMMISSION RELATIVE TO THE EXTENSION OF
RAPID TRANSIT FACILITIES IN THE EAST BOSTON DISTRICT
OF THE CITY OF BOSTON. *Chap. 73*

Resolved, That an unpaid special commission, to consist of one member of the senate to be designated by the president thereof, two members of the house of representatives to be designated by the speaker thereof and two persons to be appointed by the governor is hereby established to investigate and study the matter of the extension of rapid transit facilities in the East Boston district of the city of Boston. In making its investigation and study hereunder said commission shall consider the subject matter of house documents numbered one hundred and forty-one and sixteen hundred and sixteen of the year nineteen hundred and thirty-six and of current house document numbered fifteen hundred and seventy-three. For said purposes, said com-

mission may expend such sums, not exceeding, in the aggregate, one thousand dollars, as may hereafter be appropriated therefor. Said commission shall report to the general court the results of its investigation and study hereunder, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December in the current year.

Approved May 29, 1937.

Chap. 74 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE ADVISABILITY OF INCREASING THE FACILITIES OF THE STATE PIER AT NEW BEDFORD.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study relative to the advisability of increasing the facilities of the state pier at New Bedford by acquiring by eminent domain under chapter seventy-nine of the General Laws, or otherwise, the property of the Old Colony Railroad Company adjoining said pier. Said department shall report to the general court forthwith the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives.

Approved May 29, 1937.

Chap. 75 RESOLVE INCREASING THE SCOPE OF THE INVESTIGATION AND STUDY TO BE MADE BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO CERTAIN IMPROVEMENTS WITHIN THE METROPOLITAN PARKS DISTRICT.

Resolved, That the metropolitan district commission, in making its investigation and study relative to certain improvements within the metropolitan parks district, as provided by chapter fifty-four of the resolves of the current year, shall also consider the subject matter of current house document numbered thirteen hundred and seventy-five, relative to the construction of an overpass at or near the intersection of Memorial drive, Cottage Farm bridge and Brookline street in the city of Cambridge, of current house document numbered seventeen hundred and seventy-two, relative to the reconstruction and widening of a portion of the Revere Beach parkway in Medford and Everett and to making certain other improvements in connection therewith, and of current house document numbered eighteen hundred and thirty-nine, relative to the reconstruction and widening the highway and the railroad bridge between the Revere Beach parkway and North Shore road in the city of Revere. Any program of projects that may be recommended by said commission under the provisions of said chapter fifty-four of the

resolves of the current year shall include any of the projects referred to in this resolve that may be recommended by said commission.

Approved May 29, 1937.

RESOLVE FURTHER INCREASING THE SCOPE OF THE INVESTIGATION TO BE MADE BY THE SPECIAL COMMISSION ON TAXATION AND PUBLIC EXPENDITURES. *Chap. 76*

Resolved, That the special commission on taxation and public expenditures, established by chapter three of the resolves of the current year to investigate and study relative to the problems of taxation and of public expenditures, shall, in carrying out its work, consider the subject matter of current house document numbered two hundred and thirty-three, providing for an additional standard form of city charter for acceptance by the cities.

Approved May 29, 1937.

The Commonwealth of Massachusetts

AMENDMENT TO CONSTITUTION.

INITIATIVE AMENDMENT TO THE CONSTITUTION PROVIDING FOR BIENNIAL SESSIONS OF THE GENERAL COURT AND FOR A BIENNIAL BUDGET.

Initiative amendment to the constitution providing for biennial sessions of the general court and for a biennial budget.

The joint sessions of the Senate and House of Representatives of two general courts, as provided under Article XLVIII of the Constitution, hereby declare it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution for approval by the people at the state election in the year 1938:

ARTICLE OF AMENDMENT

"Section 1. The general court shall assemble in regular session on the first Wednesday of January in the year following the approval of this article and biennially on said Wednesday thereafter. Nothing herein contained shall prevent the general court from assembling at such other times as they shall judge necessary or when called together by the governor."

"Section 2. The budget required by Section 2 of Article LXIII of the amendments to the constitution shall be for the year in which the same is adopted and for the ensuing year."

"Section 3. All provisions of this constitution and of the amendments thereto requiring the general court to meet annually are hereby annulled."

IN CONVENTION, May 27, 1936.

The foregoing initiative amendment to the Constitution was agreed to in joint session of the two houses of the General Court, the said amendment having received 141 affirmative votes to 117 negative votes, the affirmative votes being not less than one fourth of all the members elected; and it was referred to the next General Court in accordance with the provisions of the Constitution, Article XLVIII.

IRVING N. HAYDEN,
Clerk of the Joint Convention.

IN CONVENTION, May 19, 1937.

The foregoing initiative amendment to the Constitution was agreed to in joint session of the two houses of the General Court, the said amendment having received 158 affirmative votes to 112 negative votes, the affirmative votes being not less than one fourth of all the members elected; and it was certified to the Secretary of the Commonwealth in accordance with the provisions of Article XLVIII of the amendments to the Constitution.

Certified to
the secretary
of the com-
monwealth for
submission
to the people
at the next
state election.

IRVING N. HAYDEN,
Clerk of the Joint Convention.

NUMBER OF ACTS AND RESOLVES APPROVED,
LIST OF ACTS VETOED BY THE GOVERNOR
AND PASSED OVER HIS VETO AND ACTS
DECLARED EMERGENCY LAWS BY THE
GOVERNOR UNDER AUTHORITY OF THE
CONSTITUTION.

The general court, during its first annual session held in 1937, passed 444 Acts and 76 Resolves which received executive approval.

The governor returned 26 Acts with his objections thereto in writing. Upon 24 of said Acts his objections were sustained.

Twenty-four (24) Acts entitled, respectively, "An Act relative to granting to habitual criminals permits to be at liberty"; "An Act relative to the number of school days at the Senior-Junior High School in the town of East Bridgewater in the school year nineteen hundred and thirty-six and nineteen hundred and thirty-seven"; "An Act placing under the civil service the office of secretary of the Metropolitan District Commission"; "An Act placing under the civil service the office of Director of Standards in the Department of Labor and Industries"; "An Act placing under the civil service certain employees in the Division of Accounts of the Department of Corporations and Taxation"; "An Act authorizing the appointment, and regulating the powers and duties, of assistant treasurers of cities and towns"; "An Act repealing the teachers' oath law, so called"; "An Act discontinuing the jurisdiction of the county commissioners of Middlesex county in Revere, eliminating participation by the voters of said city in their election and transferring their powers and duties with respect to said city"; "An Act relative to the tenure of office of certain officers and employees of the town of Hull"; "An Act relative to the appropriation by the town of Scituate of a sum of money to pay Henry T. Cole for certain work and materials"; "An Act to authorize the placing of the office of city engineer of the city of Revere under the civil service laws"; "An Act to authorize the placing of the office of city clerk in the city of Worcester under the civil service laws"; "An Act rendering members of the executive council ineligible for appointment to certain offices and positions"; "An Act providing for biennial municipal elections in the city of Haverhill"; "An Act relative to the removal of certain state officers and employees"; "An Act relative to the taking of salmon from the waters of Barnstable county"; "An Act relative to the right of review of certain employees of the commonwealth and of the political subdivisions thereof in case of discharge or retirement";

"An Act relative to seniority rights in respect to the dismissal or suspension of persons in the classified service"; "An Act relative to the use of beam or otter trawls in taking fish from certain territorial waters of the commonwealth"; "An Act relative to the payment in certain cases of annuities to dependent brothers and sisters of certain public employees killed or dying from injuries received or hazards undergone in the performance of duty"; "An Act re-establishing certain ward lines in the city of Attleboro"; "An Act relative to the Cliffs Beach, so called, in the town of Nantucket"; "An Act to promote equality of compensation for positions in the state service and to eliminate certain obsolete provisions relative to such positions" and "An Act providing for the transfer of certain funds from the highway fund to cities and towns" were passed and laid before the governor for his approval; were returned by him with his objections thereto, to the branch in which they respectively originated; were reconsidered, and the vote being taken on their passage, the objections of the governor thereto notwithstanding, they were rejected, and said acts thereby became void.

Two (2) Acts entitled, respectively, "An Act exempting certain dealers in certain fuel oil from the provisions of law relating to hawkers and pedlers" (Chapter 333) and "An Act providing for an annuity for William H. Pratt of Marshfield, a former member of the state police" (Chapter 417) were passed and laid before the governor for his approval; were returned by him with his objections thereto, to the branch in which they respectively originated; were reconsidered, agreeably to the provisions of the constitution, and the vote being taken on their passage, the objections of the governor thereto notwithstanding, they were passed, and said acts have thereby the force of law.

Three (3) Acts entitled, respectively, "An Act repealing the law providing for party primaries and pre-primary conventions of political parties, and reviving and continuing in force certain other laws" (Chapter 384), "An Act abolishing the existing board of parole and creating a parole board and defining its powers and duties" (Chapter 399) and "An Act abolishing the board of tax appeals and creating the appellate tax board" (Chapter 400) were declared to be emergency laws by the governor in accordance with the provisions of the forty-eighth amendment to the Constitution "The Referendum. II. Emergency Measures". Said Chapter 384 thereby took effect at 5.19 P.M. on May 28, 1937, said Chapter 399 at 12.30 A.M. on May 29, 1937, and said Chapter 400 at 12.31 A.M. on May 29, 1937.

The general court was prorogued on Saturday, May 29, 1937, at twenty minutes past twelve o'clock P.M., the session having occupied 144 days.

APPENDIX

The following table and the index to the Acts and Resolves of the current year have been prepared by FERNALD HUTCHINS, Esq., and HENRY D. WIGGIN, Esq., counsel, respectively, to the Senate and House of Representatives, in accordance with section fifty-one of chapter three of the General Laws.

TABLE

SHOWING

TO WHAT EXTENT THE GENERAL LAWS OF THE COMMONWEALTH, AS APPEARING IN THE TERCENTENARY EDITION, HAVE BEEN AFFECTED BY LEGISLATION ENACTED BY THE GENERAL COURT SINCE JANUARY FIRST, NINETEEN HUNDRED AND THIRTY-TWO.*†

Chapter 1. — Jurisdiction of the Commonwealth and of the United States.

Act granting to United States all rights of the commonwealth in and to great ponds within Fort Devens Military Reservation, and ceding jurisdiction over such ponds and certain other lands, 1933, 290.
SECT. 3 revised, 1933, 278 § 1.

Chapter 3. — The General Court.

SECT. 5 amended, 1937, 364 § 1.
SECT. 6 revised, 1937, 364 § 2.
SECT. 7 revised, 1937, 364 § 3.
SECT. 9 revised, 1937, 236 § 1.
SECT. 11 repealed, 1937, 236 § 2.
SECT. 12 revised, 1937, 360 § 1. (See 1937, 360 §§ 3-5.)
SECT. 13 revised, 1937, 360 § 2. (See 1937, 360 §§ 3-5.)
SECT. 19 amended, 1935, 210.

SECT. 20A added, 1937, 189 (relative to the purchase of uniforms for the sergeant-at-arms, doorkeepers, assistant doorkeepers, general court officers and pages of the general court).

Chapter 4. — Statutes.

SECT. 5 revised, 1935, 69.

SECT. 7, clause Eighteenth amended, 1934, 283; 1935, 26; 1936, 180; 1937, 38.

Chapter 5. — Printing and Distribution of Laws and Public Documents.

As to the distribution of the Tercentenary Edition of the General Laws, see 1932, Resolve 53; 1933, Resolve 19; 1935, Resolve 18.

SECT. 1, last paragraph revised, 1932, 254; two paragraphs added at end, 1937, 373.

SECT. 9 amended, 1933, 245 § 1.

SECT. 18 amended, 1935, 226 § 1.

* For table showing changes in legislation made during the years 1921 to 1931, inclusive, see Table of Changes contained in pages 485-597 of the Acts and Resolves of 1932.

† References in this table are to the Tercentenary Edition of the General Laws, as most recently amended, unless otherwise specified.

Chapter 6. — The Governor, Lieutenant Governor and Council, Certain Officers under the Governor and Council, and State Library.

For temporary legislation establishing an emergency finance board, and defining its powers and duties, see 1933, 49, 104.

For temporary legislation establishing the emergency public works commission, and defining its powers and duties, see 1933, 365, as affected by 1933, 368; term extended, 1935, 380; 1937, 338.

SECT. 12B added, 1932, 14 (relative to the observance of the anniversary of the death of Brigadier General Casimir Pulaski).

SECT. 12C added, 1932, 153 (relative to the observance of the anniversary of the battle of Bunker Hill). (See 1935, 26.)

SECT. 12D added, 1932, 242 (relative to the observance of the anniversary of the Boston Massacre, etc.).

SECT. 12E added, 1934, 191 (relative to the observance of the anniversary of the death of Commodore John Barry).

SECT. 12F added, 1935, 23 (relative to the observance of the anniversary of the battle of New Orleans).

SECT. 12G added, 1935, 96 (providing for an annual proclamation by the governor relative to American Education Week).

SECT. 12H added, 1935, 148 (relative to the observance of the anniversary of the death of General Marquis de Lafayette).

SECT. 12I added, 1935, 184 (relative to the annual observance of Indian Day).

SECT. 17 amended, 1932, 305 § 1; 1933, 120 § 1, 336 § 1; 1934, 374 § 1; 1935, 475 § 1. (See 1933, 336 § 3.)

SECT. 18 and heading stricken out and new section inserted, under heading "ARMORY COMMISSION", 1937, 300 § 1. (See 1937, 300 § 2.)

SECT. 22 amended, 1936, 341 § 1. (See 1936, 341 § 2.)

SECT. 28A amended, 1934, 208 § 1.

SECT. 28E added, 1934, 208 § 2 (relative to the dissemination of information concerning the public bequest fund).

SECT. 32, paragraph added at end, 1937, 227.

SECT. 42 added, under caption "MILK REGULATION BOARD", 1932, 305 § 2.

SECTS. 43-45 added, 1933, 120 § 2 (relative to the alcoholic beverages control commission).

SECT. 43 amended, 1933, 375 § 1.

SECT. 44, first paragraph revised, 1933, 376 § 1.

SECTS. 46 and 47 added, 1933, 336 § 2 (relative to the Greylock reservation commission). (See 1933, 336 § 3.)

SECT. 48 added, under caption "STATE RACING COMMISSION", 1934, 374 § 2.

SECTS. 49-52 added, under caption "STATE PLANNING BOARD", 1935, 475 § 2.

SECT. 49 amended, 1936, 307.

Chapter 7. — Commission on Administration and Finance.

SECT. 22, clause (17) revised, 1933, 353 § 1.

SECT. 23A added, 1933, 353 § 2 (providing a preference in the purchase of supplies and materials by contractors for certain state work in favor of domestic supplies and materials).

Chapter 8. — Superintendent of Buildings, and State House.

SECTS. 1-12 affected, 1935, 327.

SECT. 4 amended, 1935, 251; revised, 1937, 84 § 1. (See 1937, 84 § 2.)

SECT. 5 revised, 1935, 460 § 1. (See 1935, 460 § 2.)

SECT. 10A revised, 1933, 170.

SECT. 17 amended, 1932, 188 § 1; 1933, 199 § 1.

SECT. 18 amended, 1932, 188 § 2; 1933, 199 § 2.

Chapter 9. — Department of the State Secretary.

SECT. 2 revised, 1935, 416.

SECT. 6 amended, 1934, 25 § 1.

SECT. 7 amended, 1934, 25 § 2.

SECT. 9 amended, 1934, 127.

SECT. 15 amended, 1934, 19.

SECT. 17 amended, 1934, 37; revised, 1936, 31 § 1.

SECT. 20 added, 1935, 402 (regulating the publication and sale of the Massachusetts Reports and of the advance sheets of the opinions and decisions of the Supreme Judicial Court).

SECTS. 21-25 added, under the caption "COMMISSION ON INTERSTATE CO-OPERATION", 1937, 404 § 1 (establishing a commission on interstate co-operation as successor to the commission on interstate compacts affecting labor and industries and defining its power and duties, and providing for a commission required to be established under an interstate compact on the minimum wage). (See 1937, 404 §§ 2, 3.)

Chapter 10. — Department of the State Treasurer.

For temporary legislation establishing an emergency finance board, and defining its powers and duties, see 1933, 49, 104.

For temporary legislation establishing the emergency public works commission, and defining its powers and duties, see 1933, 365, as affected by 1933, 368; term extended, 1935, 380; 1937, 338.

SECT. 8 amended, 1932, 180 § 1.

Chapter 12. — Department of the Attorney General, and the District Attorneys.

SECT. 2 amended, 1934, 133 § 1. (See 1934, 133 § 2.)

SECT. 3, last sentence amended, 1932, 180 § 2.

SECT. 3B amended, 1933, 318 § 1; 1934, 291 § 1. (See 1933, 318 § 9; 1934, 291 § 6.)

SECT. 14, paragraph in lines 5 and 6 revised, 1935, 209; paragraph in lines 7 and 8 revised, 1935, 433 § 1; section revised, 1935, 458 § 1.

SECT. 15 revised, 1935, 458 § 2; paragraph in line 8 revised, 1937, 279 § 1.

SECT. 16, paragraph in lines 9-11 revised, 1935, 433 § 2; section revised, 1935, 458 § 3; paragraph in lines 23 and 24 revised, 1937, 279 § 2.

SECT. 25 amended, 1937, 64 § 1.

Chapter 13. — Department of Civil Service and Registration.

SECT. 3 amended, 1932, 180 § 3.

SECT. 8 amended, 1934, 329.

SECT. 10 amended, 1932, 8.

SECT. 11 amended, 1937, 379.

SECT. 12 repealed, 1937, 425 § 13. (See 1937, 425 § 15.)

SECTS. 12A-12C added, under the heading "BOARD OF REGISTRATION IN CHIROPODY (PODIATRY)", 1937, 425 § 1. (See 1937, 425 §§ 14, 15.)

SECT. 17 revised, 1934, 339 § 1.

SECT. 29 and its caption stricken out and new section inserted, under the caption "BOARD OF REGISTRATION IN EMBALMING AND FUNERAL DIRECTING", 1936, 407 § 1. (See 1936, 407 §§ 5-8.)

SECT. 31 revised, 1936, 407 § 2. (See 1936, 407 §§ 5-8.)

SECT. 32 revised, 1935, 420 § 1. (See 1935, 420 § 2.)

SECT. 40 amended, 1933, 149 § 1; two sentences added at end, 1934, 299 § 1. (See 1934, 299 § 2.)

SECTS. 42-44 added, under caption "BOARD OF REGISTRATION OF HAIRDRESSERS", 1935, 428 § 1. (See 1935, 428 §§ 5, 7.)

SECT. 43 amended, 1937, 385 § 1.

Chapter 15. — Department of Education.

SECT. 12 revised, 1935, 367.

Chapter 16. — Department of Public Works.

SECT. 6 amended, 1935, 418 § 1.

Chapter 18. — Department of Public Welfare.

SECT. 7 amended, 1935, 311 § 1.

SECTS. 17 and 18 added, under caption "STATE BOARD OF HOUSING", 1933, 364 § 1 (establishing within the department a state board of housing).

SECT. 17 amended, 1935, 449 § 1.

SECT. 18 amended, 1935, 449 § 1A.

Chapter 19. — Department of Mental Diseases.

Division of examination of prisoners abolished, 1933, 77 § 4.

SECT. 5 amended, 1935, 314 § 2, 421 § 3. (See 1935, 421 §§ 5, 6.)

SECT. 6. See 1935, 314 § 1.

Chapter 20. — Department of Agriculture.

For temporary legislation establishing within the department a milk control board, and defining its powers and duties, see 1934, 376; term of office of said board extended, 1936, 300; see also 1937, 428.

SECT. 4 amended, 1933, 74 § 1; revised, 1934, 340 § 1. (See 1934, 340 § 18.)

SECT. 6 added, 1934, 340 § 2 (experts and assistants in division of livestock disease control). (See 1934, 340 § 18.)

Chapter 21. — Department of Conservation.

SECT. 1 amended, 1934, 340 § 3. (See 1934, 340 § 18.)

SECT. 3 revised, 1933, 75 § 1; amended, 1934, 340 § 4. (See 1934, 340 § 18.)

SECTS. 3A and 3B repealed, 1932, 180 § 4.

SECT. 7 revised, 1933, 329 § 3; 1937, 413 § 1. (See 1937, 413 §§ 3, 4.)

SECT. 7A added, 1934, 173 § 1 (establishing the office of state ornithologist in the division of fisheries and game). (See 1934, 173 § 2.)

SECT. 8A revised, 1933, 329 § 4.

SECTS. 9 and 10 repealed, 1934, 340 § 5. (See 1934, 340 § 18.)

SECT. 11 revised, 1933, 75 § 2.

SECT. 12 revised, 1933, 75 § 3.

Chapter 22. — Department of Public Safety.

SECT. 9C added, 1933, 239 (relative to the uniform of members of the state police).

Chapter 23. — Department of Labor and Industries.

For legislation to diminish the causes of labor disputes burdening or obstructing industry, and to create a labor relations commission, and for other purposes, see 1937, 436.

SECT. 3 amended, 1934, 331 § 1; two sentences revised, 1935, 479 § 1. (See 1935, 479 § 7.)

SECT. 4 amended, 1934, 331 § 2; 1935, 479 § 2. (See 1935, 479 § 7.)

SECT. 5 amended, 1935, 479 § 3. (See 1935, 479 § 7.)

SECT. 9 revised, 1935, 60 § 1.

SECT. 9A revised, 1932, 99; repealed, 1933, 73.

SECT. 9B repealed, 1933, 73.

SECT. 9C revised, 1932, 187; repealed, 1933, 73.

SECT. 9H revised, 1933, 362.

SECTS. 9I-9N added, 1935, 479 § 4 (establishing the Unemployment Compensation Commission, and defining its powers and duties). (See 1935, 479 §§ 6, 7.)

SECT. 11A (and caption) added, 1934, 331 § 3 (division of occupational hygiene).

SECTS. 11B-11D added, under the caption "THE MASSACHUSETTS DEVELOPMENT AND INDUSTRIAL COMMISSION", 1937, 427 (establishing the Massachusetts development and industrial commission for the promotion and development of the industrial, agricultural and recreational resources of the commonwealth).

Chapter 25. — Department of Public Utilities.

SECT. 9A added, 1933, 76 § 2 (providing for certain employees serving directly under the commission of the department to perform its duties relative to smoke abatement in Boston and vicinity); repealed, 1934, 352 § 2.

SECT. 10 amended, 1933, 76 § 3; 1934, 352 § 3.

SECT. 10A added, 1933, 76 § 4 (providing for the apportionment of expenses incurred by the department in the performance of its duties relative to smoke abatement in Boston and vicinity); repealed, 1934, 352 § 4.

SECTS. 11 and 12 repealed, 1935, 411 § 1. (See 1935, 411 § 2.)

SECT. 12B revised, 1932, 290 § 2.

SECTS. 12C-12F repealed, 1933, 76 § 1; new sections 12C-12E added, under caption "DIVISION OF SMOKE INSPECTION", 1934, 352 § 1.

SECT. 12F added, 1935, 405 § 1 (establishing in the department a commercial motor vehicle division, under the charge of a director thereof); phrase added at end, 1935, 477 § 2.

SECT. 12G added, 1936, 117 (authorizing the director of the commercial motor vehicle division in the department of public utilities to summon witnesses, administer oaths and take testimony).

Chapter 26. — Department of Banking and Insurance.

SECT. 8A revised, 1934, 2; amended, 1935, 419.

Chapter 27. — Department of Correction.

SECT. 5 revised, 1934, 350 § 1; 1937, 399 § 1. (See 1934, 350 §§ 2-4; 1937, 399 §§ 3-6.)

Chapter 28. — Metropolitan District Commission.

SECT. 3 revised, 1936, 244 § 1. (See 1936, 244 § 4.)

SECT. 4 amended, 1936, 244 § 2. (See 1936, 244 § 4.)

Chapter 29. — State Finance.

For temporary legislation as to emergency state financing, see 1933, 49, 104, 307, 341, 365, 367, 368; 1934, 41, 66, 313, 335; 1935, 221, 300, 380, 392, 456; 1936, 309; 1937, 338.

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1935, 498 §§ 2, 3, 4; 1936, 440 §§ 2, 3, 4; 1937, 444 §§ 2, 3, 4.

SECT. 6 amended, 1937, 426 § 1. (See 1937, 426 § 2.)

SECT. 10 amended, 1936, 256.

SECT. 20A added, 1937, 407 (relative to public inspection of certain orders and claims, in advance of approval or rejection thereof, in connection with state contracts).

SECT. 27 amended, 1937, 359.

SECT. 31, last sentence amended, 1932, 127 § 2.

SECT. 34 amended, 1936, 333.

SECT. 38, subdivision (h) added, 1934, 356.

SECT. 48A added, 1937, 252 (authorizing the use of facsimile signatures of the governor on certain bonds and notes of the commonwealth).

SECT. 63 added, 1937, 157 (providing for taxpayers' petitions for enforcement of certain provisions of law relative to state finance).

Chapter 30. — General Provisions Relative to State Departments, Commissions, Officers and Employees.

For temporary act reducing the salary or other compensation of state officers and employees, see 1933, 105, as affected by 1933, 296. For temporary acts providing for restoration of one-third of reduction in salary or other compensation under 1933, 105, as so affected, see 1934, 194, 213 § 1.

Provisions relative to expenses incurred for midday meals by state employees, 1933, 174 § 8; 1934, 162 § 6; 1935, 249 § 7; 1936, 304 § 7; 1937, 234 § 6.

SECT. 7 revised, 1937, 414 § 1.

SECT. 24 revised, 1937, 430.

SECT. 39 revised, 1934, 351; amended, 1935, 217 § 1; revised, 1935, 472 § 1.

SECT. 42 revised, 1936, 359.

Chapter 31. — Civil Service.

For acts, extending to May 15th, 1938, the existing preference in the classified labor service to persons with dependents, see 1932, 183; 1933, 194; 1934, 243; 1936, 151. [For prior legislation, see 1930, 111; 1931, 316.]

SECT. 3, clause (g) added, 1937, 223 (giving preference to blind persons in the employment of typists in certain cases by state departments, boards and commissions).

SECT. 4, sixth paragraph revised, 1932, 282 § 1. (See 1932, 282 § 4.)

SECT. 5 amended, 1935, 405 § 2; 1936, 244 § 3.

SECT. 5A added, 1937, 414 § 2 (relative to the employment by certain municipal officers of persons to serve in a confidential capacity).

SECT. 6, sentence added at end, 1932, 260.

SECT. 6A added, 1935, 228 (dispensing with educational requirements as a condition of taking certain civil service examinations).

SECT. 15A added, 1933, 267 (restricting the appointment of persons for temporary employment under the civil service laws); amended, 1934, 105.

SECT. 17 amended, 1934, 94.

SECT. 19A added, 1932, 146 (relative to appointments to the regular fire forces in certain cities having reserve fire forces).

SECT. 20B added, 1937, 416 § 3 (providing for appointments to the regular police force of the metropolitan district commission from the list of members of the reserve police force). (See 1937, 416 § 5.)

SECT. 21 amended, 1932, 89; revised, 1933, 137.

SECT. 45 amended, 1934, 249 § 2.

SECT. 45A added, 1934, 190 (providing a method of avoiding multiplicity of petitions for judicial review to determine seniority rights in the classified labor service).

SECT. 46 amended, 1932, 282 § 2; revised, 1934, 249 § 1.

SECTS. 46C and 46D added, 1933, 320 (providing for the reinstatement of certain municipal officers and employees).

SECT. 46C amended, 1934, 84; 1936, 66.

SECT. 46E added, 1934, 207 (providing that a leave of absence of less than six months shall not be deemed a separation from the classified civil service in certain cases); paragraph added at end, 1936, 297.

SECT. 46F added, 1935, 337 (providing for the reinstatement of members of the police force of the Metropolitan district commission in certain cases).

SECT. 46G added, 1935, 408 (relative to seniority rights in respect to the suspension and re-employment of persons in the classified civil service in certain cases).

SECT. 46H added, 1936, 287 § 1 (providing for the reinstatement in the classified civil service of retired municipal officers and employees in certain cases of invalid retirement). (See 1936, 287 § 2.)

Chapter 32. — Retirement Systems and Pensions.

For legislation relative to the abolition of non-contributory pensions and retirement allowances for employees of counties, cities, towns and districts under special acts, see 1934, 285 § 10; 1937, 102 § 10.

SECT. 1, new paragraph added, 1934, 360 § 1. (See 1934, 360 § 5; 1937, 271.)

SECT. 2, paragraphs (10) and (11) revised, 1935, 390.

SECT. 3, paragraph (4) revised, 1932, 268.

SECT. 4, sentence added at end of paragraph (2) A (c), 1934, 360 § 2; paragraph (3) amended, 1936, 370 § 1. (See 1934, 360 § 5; 1936, 370 § 2; 1937, 271.)

SECT. 5, paragraph added at end of paragraph (2) C (c), 1934, 360 § 3; paragraph H added at end, 1934, 360 § 4. (See 1934, 360 § 5; 1937, 271.)

SECT. 6, definition of "Teacher" amended, 1937, 232 § 1.

SECT. 7, paragraph (4) amended, 1932, 127 § 18; first sentence of paragraph (3) revised, 1937, 232 § 2; paragraph (5) added, 1937, 232 § 3. (See 1937, 232, § 4.)

SECT. 9, paragraph (2) revised, 1937, 438 § 1; paragraph (5) added at end, 1937, 302.

SECT. 10, paragraph (2) revised, 1932, 255; paragraph (4) amended, 1937, 438 § 2; paragraph (8) amended, 1936, 386 § 1; paragraph (10) amended, 1936, 386 § 2, revised, 1937, 438 § 3; paragraphs (11) and (12) stricken out, 1937, 438 § 4.

SECT. 11, paragraph (5) revised, 1936, 400 § 2.

SECT. 20,* paragraph added, 1934, 258 § 1.

SECT. 23,* paragraph (5) revised, 1934, 258 § 2.

SECT. 24,* paragraph (2) A amended, 1935, 243.

SECT. 25,* paragraph (2) A (b) revised, 1936, 301 § 1; paragraph (2) B (b) revised, 1936, 301 § 2; paragraph (F) added at end, 1936, 301 § 3.

SECTS. 20-25, as amended, and the heading before said section 20, stricken out and new sections 20-25I inserted, under heading "COUNTY AND CERTAIN HOSPITAL DISTRICT RETIREMENT SYSTEMS", 1936, 400 § 1 (providing for contributory retirement systems for counties and certain hospital districts). (See 1936, 400 § 5; 1937, 336 § 3.)

The following references to sections 20-25I apply to sections inserted by 1936, 400 § 1.

SECT. 20, definitions of "Employee" and of "Regular interest" revised, 1937, 336 § 1.

SECT. 21, paragraphs (1) (b), (1) (c) and (1) (d) revised, 1937, 336 § 2. (See 1937, 336 § 3.)

SECT. 22, last two sentences of paragraph (5) revised, 1937, 336 § 4.

SECT. 23, paragraph added at end of subdivision (1), 1937, 336 § 5.

SECT. 25, first clause of paragraph (2) revised, 1937, 336 § 6.

SECT. 25F, paragraph (6) amended, 1937, 336 § 7.

* See later amendments to sections 20 to 25, inclusive.

SECT. 25G, paragraph (1) (a) amended, 1937, 336 § 8; paragraph (1) (d) amended, 1937, 336 § 9.

SECT. 25I, last paragraph revised, 1937, 336 § 10.

SECTS. 26–31 stricken out and new sections 26–31I inserted, 1936, 318 § 1 (providing for contributory retirement systems for cities and towns that may be accepted by them). (See 1936, 318 §§ 5–7.)

SECT. 26, definitions of “Employee” and of “Regular interest” revised, 1937, 336 § 11.

SECT. 27, paragraphs (1) (b), (1) (c) and (1) (d) revised, 1937, 336 § 12.

SECT. 28, paragraph (5) amended, 1937, 336 § 13.

SECT. 29, second paragraph of subdivision (1) revised, 1937, 336 § 14; paragraph (2) (d) amended, 1937, 336 § 15.

SECT. 31, first paragraph of subdivision (2) revised, 1937, 336 § 16.

SECT. 31F, clause (1) (b) amended, 1937, 57 § 1; paragraph 1A added, 1937, 57 § 2. (See 1937, 57 § 4.)

SECT. 31G, paragraph (1) (d) amended, 1937, 336 § 17.

SECT. 31I, paragraph (3) amended, 1937, 57 § 3. (See 1937, 57 § 4.)

SECT. 31J inserted after the heading “GENERAL PROVISIONS” immediately before section 32, 1936, 400 § 3 (relative to the definition of certain words used in said General Provisions).

SECT. 33 amended, 1936, 301 § 4; 318 § 2; repealed, 1936, 400 § 4. (See 1936, 318 §§ 5–7; 400 §§ 2 and 5.)

SECT. 36 amended, 1937, 336 § 18.

SECTS. 37A–37D added, 1936, 318 § 3 (miscellaneous provisions relative to contributory retirement systems under G. L. chap. 32). (See 1936, 318 §§ 5–7.)

SECT. 37D, first paragraph revised, 1937, 336 § 19.

SECT. 37E added, 1937, 336 § 20 (providing minimum retirement allowances for certain members of county, city or town contributory retirement systems).

SECT. 38 amended, 1937, 336 § 21.

SECT. 44 revised, 1934, 135; paragraph added at end, 1934, 285 § 1; section amended, 1936, 223; last paragraph amended, 1937, 102 § 1. (See 1937, 202.)

SECT. 52 amended, 1932, 114 § 1.

SECT. 53 amended, 1932, 114 § 2.

SECT. 60, paragraph added at end, 1934, 285 § 2; amended, 1937, 102 § 2.

SECT. 60A, paragraph added at end, 1934, 285 § 3; amended, 1937, 102 § 3.

SECTS. 61–64 repealed, 1937, 409, § 2. (See 1937, 409 §§ 5–7.)

SECT. 65, last sentence stricken out, 1937, 336 § 22; section repealed, 1937, 409 § 2. (See 1937, 409 §§ 5–7.)

SECT. 65A added, 1937, 409 § 1 (relative to the retirement or resignation of members of the judiciary). (See 1937, 409 §§ 5–7.)

SECT. 66, paragraph added at end, 1934, 285 § 4; amended, 1937, 102 § 4.

SECT. 70, paragraph added at end, 1934, 285 § 5; amended, 1937, 102 § 5; section revised, 1937, 416 § 4. (See 1937, 416 § 5.)

SECT. 75, paragraph added at end, 1934, 285 § 6; amended, 1937, 102 § 6.

SECT. 77, paragraph (a) revised, 1936, 290 § 1; paragraph (c) added at end, 1936, 290 § 2.

SECT. 78A added, 1934, 285 § 7 (providing for the ultimate abolition of non-contributory pensions under certain provisions of general law for laborers); amended, 1937, 102 § 7; revised, 1937, 283 § 1. (See 1937, 283 § 2.)

SECT. 80, paragraph added at end, 1934, 285 § 8; section amended, 1936, 439 § 1; last paragraph amended, 1937, 102 § 8.

SECT. 81 amended, 1933, 103.

SECT. 83 amended, 1936, 439 § 2.

SECT. 85 amended, 1936, 439 § 3.

SECT. 85A revised, 1935, 31 § 1. (See 1935, 31 § 2.)

SECT. 85B added, 1932, 253 (regulating the retirement and pensioning of certain members of the police forces of park boards of cities and towns).

SECT. 85C added, 1934, 285 § 9 (providing for the ultimate abolition of non-contributory pensions under certain provisions of general law for policemen and firemen; amended, 1937, 102 § 9.

SECT. 85D added, 1937, 220 (relative to the retirement of certain call members of fire departments in certain towns).

SECT. 89 revised, 1932, 276; amended, 1933, 340 § 1; 1934, 343; revised, 1935, 466; amended, 1936, 326. (See 1933, 340 § 2.)

SECT. 90 revised, 1936, 439 § 4.

Chapter 33. — Militia.

Act establishing a special military reservation commission, and authorizing the acquisition by the commonwealth for military purposes of certain properties in Sandwich, Bourne, Falmouth and Mashpee, 1935, 196; powers and duties of the commission defined, 1936, 344 §§ 1, 2.

SECT. 6 revised, 1933, 254 § 1. (See 1933, 254 § 66.)

SECT. 18 amended, 1932, 15.

SECT. 22, paragraph in third line revised, 1937, 192 § 1.

SECT. 25A added, 1935, 295 § 1 (further regulating the calling out of the militia as an aid to the civil power of the commonwealth).

SECT. 26 amended, 1935, 295 § 2.

SECT. 31 amended, 1935, 295 § 3.

SECT. 32 revised, 1935, 295 § 4.

SECT. 33 revised, 1935, 295 § 5.

SECT. 34 amended, 1935, 295 § 6.

SECT. 48, subsection (a) revised, 1932, 161; same subsection amended, 1933, 166.

SECT. 60 amended, 1933, 153 § 1; 1934, 120.

SECT. 67 revised, 1935, 205.

SECT. 90, paragraph in lines 63-65 revised, 1934, 106; last sentence of paragraph (k) revised, 1933, 17; paragraph (k) revised, 1937, 192 § 2.

SECT. 98, sentence added at end, 1933, 6.

Chapter 34. — Counties and County Commissioners.

SECT. 1 revised, 1933, 278 § 2.

SECT. 4 amended, 1935, 257 § 1. (See 1935, 257 § 12.)

SECT. 7 amended, 1935, 257 § 2. (See 1935, 257 § 12.)

SECT. 12 revised, 1935, 257 § 3. (See 1935, 257 § 12.)

SECT. 17 revised, 1932, 74.

SECT. 19 amended, 1935, 257 § 4. (See 1935, 257 § 12.)

SECT. 23 added, 1932, 297 (authorizing counties to receive certain gifts).

Chapter 35. — County Treasurers, State Supervision of County Accounts and County Finances.

For temporary legislation relative to salary reductions in the several counties, see 1933, 121, 186; 1934, 228, 276, 289. (See also 1933, 322 § 3.)

For emergency legislation incident to the National Industrial Recovery Act and the Emergency Relief Appropriation Act of 1935, see 1933, 366; 1934, 21; 1935, 404; 1936, 64, 83, 414.

Provisions relative to travel allowance of county officials and employees using their own cars on official business, 1933, 322 § 4.

SECT. 3 revised, 1932, 56.

SECT. 21 amended, 1937, 64 § 2.

SECT. 25 amended, 1933, 175 § 1.

SECT. 27 amended, 1933, 175 § 2.

SECT. 28 amended, 1933, 318 § 2; 1934, 291 § 2. (See 1933, 318 § 9; 1934, 291 § 6.)

SECT. 34 revised, 1937, 36.

SECT. 37 amended, 1933, 28.

SECT. 37A amended, 1933, 29.

SECT. 40 amended, 1936, 23 § 1.

SECT. 49 amended, 1935, 182 § 1. (See 1935, 182 § 6.)

Chapter 36. — Registers of Deeds.

SECT. 3 revised, 1937, 219 § 1.

Chapter 37. — Sheriffs.

SECT. 2 revised, 1937, 219 § 2.

SECT. 22 amended, 1932, 180 § 5.

SECT. 23 amended, 1936, 31 § 2; repealed, 1937, 148.

Chapter 38. — Medical Examiners.

SECT. 8 revised, 1932, 118 § 1.

Chapter 39. — Municipal Government.

SECT. 10 amended, 1935, 403 § 1. (See 1935, 403 § 2.)

SECT. 19 repealed, 1934, 39 § 1.

SECT. 20 amended, 1934, 39 § 2.

SECT. 23 amended, 1934, 39 § 3.

Chapter 40. — Powers and Duties of Cities and Towns.

SECT. 4, third paragraph revised, 1932, 271 § 6. (See 1932, 271 § 7.)

SECT. 5, clause (1) amended, 1933, 318 § 3; 1935, 106; revised, 1935, 179; (see 1933, 318 § 9); clause (2) amended, 1936, 390; clause (12) amended, 1932, 114 § 3; 1933, 153 § 2; 245 § 2; revised 1936, 132 § 1, 163; clause (28) revised, 1936, 211 § 5 (see 1936, 211 § 7);

clause (38) added, 1934, 154 § 1 (authorizing appropriations for protection of interests in real estate held under tax title or taking); clause (39) added, 1935, 28 (authorizing appropriations for the purpose of co-operating with the federal government in certain unemployment relief and other projects); clause (40) added, 1937, 185 (authorizing appropriations for eyeglasses for needy school children).

SECT. 5A added, 1936, 40 (providing for the establishment of reserve funds for cities); amended, 1937, 34.

SECTS. 5, 6. Temporary act, effective during 1935 to 1938, inclusive, authorizing appropriations for a general unemployment relief fund, 1935, 90; 1937, 4.

SECT. 9 amended, 1933, 245 § 3; 1935, 305; 1936, 271; paragraph added at end, 1937, 255.

SECT. 14 revised, 1933, 283 § 1.

SECT. 17 amended, 1933, 254 § 2. (See 1933, 254 § 66.)

SECTS. 25-33. See 1932, 143; 1933, 204; 1934, 210; 1936, 240; for special zoning provisions for Boston.

SECTS. 25-30A stricken out, and new sections 25-30A (municipal zoning laws) inserted, 1933, 269 § 1. (See 1933, 269 § 4.)

SECT. 30, paragraph in lines 61-70 (as appearing in 1933, 269 § 1) amended, 1935, 388 § 1; paragraph in lines 80-90 (as appearing in 1933, 269 § 1) amended, 1935, 388 § 2.

SECT. 32 revised, 1933, 185 § 1. (See 1933, 185 § 2.)

SECT. 40 revised, 1933, 314.

SECT. 42A revised, 1932, 197 § 2; amended, 1936, 42 § 1. (See 1932, 197 § 3.)

SECT. 42B amended, 1935, 56 § 1; revised, 1936, 42 § 2. (See 1935, 56 § 2.)

SECT. 42C amended, 1935, 248 § 1.

SECT. 42D, last sentence revised, 1935, 248 § 2.

SECT. 42E, last sentence amended, 1932, 180 § 6.

SECT. 51 revised, 1937, 196.

Chapter 41. — Officers and Employees of Cities, Towns and Districts.

For temporary legislation relative to salary reductions in Boston, see 1933, 121; 1934, 228, 289.

SECTS. 1 and 2. See G. L. chap. 54A §§ 1, 2, inserted by 1937, 345.

SECT. 1, paragraph in line 10 revised, 1934, 155 § 1.

SECT. 5 amended, 1934, 39 § 4.

SECT. 11. See G. L. chap. 54A §§ 13 and 15, inserted by 1937, 345.

SECT. 13 amended, 1936, 18; 1937, 143 § 1.

SECT. 13A added, 1932, 289 § 5 (provisions relative to bonds of city clerks). [For prior legislation, see G. L. chapter 140 § 148, repealed by 1932, 289 § 6.]

SECT. 19A added, 1933, 70 § 1 (requiring the filing with the state secretary of certificates of appointment or election of clerks or assistant or temporary clerks of cities or towns, and granting authority to said secretary to authenticate attestations of any such officer). (See 1933, 70 § 2.)

SECT. 21, last paragraph revised, 1934, 155 § 2. (See 1934, 155 § 4.)

SECT. 24A repealed, 1937, 129 § 1.

SECT. 25 revised, 1937, 129 § 2.

SECT. 25A revised, 1937, 129 § 3.

SECT. 26 revised, 1937, 129 § 4.

SECT. 26A added, 1935, 149 (relative to employment of counsel by boards of assessors in certain cases).

SECT. 27 revised, 1936, 118 § 1. (See 1936, 118 § 3.)

SECT. 35 revised, 1937, 143 § 2.

SECT. 37 revised, 1933, 82 § 2; amended, 1934, 259 § 2.

SECT. 38A amended, 1936, 201.

SECT. 40 revised, 1937, 143 § 3.

SECT. 54A amended, 1936, 62.

SECT. 59 amended, 1936, 94.

SECT. 61A revised, 1937, 143 § 4.

SECT. 66 revised, 1934, 155 § 3.

SECT. 70, paragraph added at end, 1936, 211 § 1. (See 1936, 211 § 7.)

SECT. 72 revised, 1936, 211 § 2. (See 1936, 211 § 7.)

SECT. 73, paragraph added at end, 1936, 211 § 3. (See 1936, 211 § 7.)

SECTS. 81A-81J added, under caption "IMPROVED METHOD OF MUNICIPAL PLANNING", 1936, 211 § 4. (See 1936, 211 § 7.)

SECT. 91B added, 1933, 128 (further regulating the appointment of constables).

SECT. 99 amended, 1932, 124.

SECT. 100, sentence added at end, 1933, 324 § 3.

SECT. 100A amended, 1933, 318 § 4; 1934, 291 § 3. (See 1933, 318 §§ 8, 9; 1934, 291 § 6.)

SECT. 105 amended, 1936, 132 § 2.

SECT. 111 revised, 1932, 109; amended, 1936, 242; revised, 1937, 15.

SECT. 111A amended, 1934, 107.

Chapter 42. — Boundaries of Cities and Towns.

Boundary line between Saugus and Wakefield (portion) established, 1933, 298; between Woburn and Reading (portion) established, 1934, 177; between Oak Bluffs and Tisbury (portion) established, 1935, 145; between Brewster and Orleans (portion) established, 1935, 356; between Middleton and Topsfield established, 1936, 96; between Foxborough and Walpole established, 1937, 140; between Edgartown and Oak Bluffs (portion) established, 1937, 265.

SECT. 1 revised, 1933, 278 § 3.

Chapter 43. — City Charters.

SECT. 15 amended, 1933, 313 § 7.

SECT. 23 amended, 1935, 68 § 1.

SECT. 26, first paragraph revised, 1937, 224 § 1.

SECT. 42 amended, 1935, 68 § 2.

SECT. 44A amended, 1933, 313 § 8; last two sentences stricken out, and paragraph added at end, 1934, 30.

SECT. 44C, first paragraph amended, 1937, 147.

SECT. 44H amended, 1932, 180 § 7.

SECT. 50A added, 1936, 135 (relative to the filling of vacancies in the city council in cities having a Plan A form of charter).

SECT. 56 amended, 1937, 224 § 2.

SECT. 59A added, 1937, 224 § 3 (relative to the filling of vacancies in the city council in cities having a Plan B form of charter).

Chapter 43A. — Standard Form of Representative Town Meeting Government.

Act relative to Wellesley, 1932, 202; to Needham, 1932, 279; to Webster, 1933, 13; to South Hadley, 1933, 45; to Easthampton, 1933, 178; to Milford, 1933, 271; to Adams, 1935, 235; to Falmouth, 1935, 349; to Amherst, 1936, 10; to Amesbury, 1936, 39; to Braintree, 1936, 56; 1937, 17.

See G. L. chap. 54A, inserted by 1937, 345, relative to election of city and town officers by proportional representation and preferential voting.

SECT. 3, first paragraph amended, 1937, 267 § 2.

SECT. 4, first paragraph amended, 1936, 128.

Chapter 44. — Municipal Finance.

For temporary legislation establishing an emergency finance board in the department of the state treasurer, and providing for the borrowing of money by cities and towns against certain tax titles, see 1933, 49, 104; 1935, 221, 300, 456; 1936, 281.

For temporary acts relative to funds granted under the federal emergency relief act of 1933, see 1933, 344; 1934, 163.

For emergency legislation incident to the National Industrial Recovery Act and the Emergency Relief Appropriation Act of 1935, see 1933, 366; 1934, 21; 1935, 404; 1936, 64, 83, 414; 1937, 159.

For temporary legislation in aid of the town of Millville, see 1933, 341; 1935, 470.

For legislation authorizing the renewal by cities and towns of certain temporary revenue loans, see 1935, 12.

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1935, 498 §§ 2, 3, 4; 1936, 440 §§ 2, 3, 4; 1937, 444 §§ 2, 3, 4.

For temporary act authorizing cities and towns to borrow on account of public welfare and soldiers' benefits from the commonwealth and elsewhere, and authorizing the commonwealth to issue bonds or notes to provide funds therefor, see 1933, 307 (as changed by 1933, 344 §§ 3, 4; 1934, 335; and as affected by 1933, 367 § 1).

For legislation authorizing cities, towns and districts to borrow, during 1935, 1936 and 1937, on account of public welfare and soldiers' benefits and their share of the cost of Emergency Relief Administration projects, see 1935, 188; 1936, 80; 1937, 107. (See 1935, 456; 1936, 257.)

For legislation authorizing temporary borrowings by cities, towns and districts in anticipation of receipts from federal grants for emergency public works, see 1935, 213, 404 § 8; renewal of such borrowings, 1936, 64.

SECT. 2 revised, 1936, 224 § 4. (See 1936, 224 §§ 11, 12.)

SECT. 4 amended, 1934, 11 § 1; affected, 1934, 11 §§ 2, 3; amended, 1936, 16.

SECT. 4A added, 1935, 68 § 3 (temporary loans by cities in anticipation of revenue exempted from charter provisions relative to publication and referendum).

SECT. 5A amended, 1935, 68 § 4.

SECT. 7 amended, 1936, 224 § 5. (See 1936, 224 §§ 11, 12.)

SECT. 10 amended, 1936, 224 § 6. (See 1936, 224 §§ 11, 12.)

SECT. 11 amended, 1936, 224 § 7. (See 1936, 224 §§ 11, 12.)

SECT. 12 amended, 1936, 224 § 8. (See 1936, 224 §§ 11, 12.)

SECT. 16, last sentence stricken out, 1936, 224 § 10. (See 1936, 224 §§ 11, 12.)

SECT. 22 amended, 1936, 224 § 9. (See 1936, 224 §§ 11, 12.)

SECT. 29. As to tax limit of Boston, see 1932, 125; 1933, 159; 1934, 201; 1935, 284; 1936, 224.

SECT. 46A added, 1932, 155 (making permanent certain provisions of law relative to investigations of municipal accounts and financial transactions by the director of accounts). {For prior temporary legislation, see 1926, 210; 1929, 335.}

SECT. 51 amended, 1934, 355.

SECT. 54 amended, 1933, 200.

SECT. 56A added, 1934, 229 § 1 (relative to the financial year of cities). (See 1934, 229 §§ 2, 3.)

Chapter 46. — Return and Registry of Births, Marriages and Deaths.

SECT. 1, third sentence of second paragraph revised, 1933, 280 § 1.

SECT. 2A added, 1933, 279 (regulating the impounding of birth records of children born out of wedlock); amended, 1937, 78 § 1.

SECT. 9 amended, 1936, 100.

SECT. 12 amended, 1937, 78 § 2.

SECT. 13, second paragraph amended, 1933, 280 § 2.

SECT. 17 revised, 1932, 12.

Chapter 48. — Fires, Fire Departments and Fire Districts.

For emergency legislation incident to the National Industrial Recovery Act and the Emergency Relief Appropriation Act of 1935, see 1933, 366; 1934, 21; 1935, 404; 1936, 64, 83, 414.

For legislation authorizing cities, towns and districts to borrow, during 1935, 1936 and 1937, on account of public welfare and soldiers' benefits and their share of the cost of Emergency Relief Administration projects, see 1935, 188; 1936, 80; 1937, 107. (See 1935, 456; 1936, 257.)

For legislation authorizing temporary borrowings by cities, towns and districts in anticipation of receipts from federal grants for emergency public works, see 1935, 213, 404 § 8; renewal of such borrowings, 1936, 64.

SECT. 15 amended, 1932, 180 § 8.

Chapter 50. — General Provisions relative to Primaries, Caucuses and Elections.

SECT. 2 amended, 1932, 141 § 1.

Chapter 51. — Voters.

SECT. 1, paragraph added at end, 1932, 206.

SECT. 2 amended, 1933, 254 § 3. (See 1933, 254 § 66.)

SECT. 3 amended, 1933, 254 § 4. (See 1933, 254 § 66.)

SECT. 4 amended, 1933, 254 § 5; first paragraph revised, 1935, 345 § 1; amended, 1937, 1 § 1. (See 1933, 254 §§ 65, 66; 1937, 226.)

SECT. 7 amended, 1933, 254 § 6; revised, 1935, 345 § 2. (See 1933, 254 §§ 65, 66.)

SECT. 8 amended, 1933, 254 § 7; 1937, 1 § 2. (See 1933, 254 § 66.)

SECT. 9 amended, 1933, 254 § 8. (See 1933, 254 § 66.)

SECT. 14B added, 1933, 254 § 9 (amending special acts relative to the listing of voters in certain municipalities so as to conform to the change in taxing date from April 1 to January 1). (See 1933, 254 §§ 65, 66.)

SECT. 26 amended, 1932, 48 § 1; 1935, 37 § 1.

SECT. 27 revised, 1932, 48 § 2; amended, 1935, 37 § 2.

SECT. 32 amended, 1933, 254 § 10. (See 1933, 254 § 66.)

SECT. 34 amended, 1933, 254 § 11. (See 1933, 254 § 66.)

SECT. 36 amended, 1933, 254 § 12. (See 1933, 254 § 66.)

SECT. 37 amended, 1933, 254 § 13. (See 1933, 254 § 66.)

SECT. 43 amended, 1933, 254 § 14. (See 1933, 254 § 66.)

SECT. 55 amended, 1933, 254 § 15; sentence added at end, 1936, 2 § 1. (See 1933, 254 § 66.)

SECT. 61 amended, 1937, 21 § 1.

Chapter 52. — Political Committees.

SECT. 1 amended, 1932, 310 § 1; revised, 1934, 288 § 1; 1936, 99. (See 1934, 288 § 5.) Affected, 1937, 384, 435.

SECT. 2 amended, 1932, 310 § 2; revised, 1934, 288 § 2; amended, 1936, 11 § 2. (See 1934, 288 § 5; 1936, 11 § 3.) Affected, 1937, 384, 435.

SECT. 4 amended, 1934, 288 § 3. (See 1934, 288 § 5.)

SECT. 7 amended, 1934, 118; first paragraph stricken out, 1934, 288 § 4. (See 1934, 288, § 5.) Affected, 1937, 384, 435.

SECT. 9 amended, 1932, 310 § 3; 1937, 24 § 1. Affected, 1937, 384, 435.

Chapter 53. — Nominations, Questions to be submitted to the Voters, Primaries and Caucuses.

SECT. 2 amended, 1932, 310 § 4; last sentence revised, 1934, 32 § 1. (See G. L. chap. 54A § 3. inserted by 1937, 345.) Affected, 1937, 384, 435.

SECT. 3 revised, 1936, 116 § 1; amended, 1937, 45 § 1.

SECT. 6 amended, 1936, 101. (See G. L. chap. 54A § 3, inserted by 1937, 345.)

SECT. 7 amended, 1933, 254 § 16; sentence inserted, 1936, 2 § 2; section revised, 1936, 4 § 1; amended, 1937, 25 § 1. (See 1933, 254 § 66.)

SECT. 8, first paragraph amended, 1932, 135 § 4; section amended, 1933, 35 § 1.

SECT. 10, first paragraph amended, 1934, 111; revised, 1937, 45 § 2; second paragraph revised, 1933, 313 § 2; third paragraph revised, 1937, 77 § 2.

SECT. 11, sentence added at end, 1933, 313, § 3; revised, 1937, 77 § 3; section revised, 1937, 212, § 1.

SECT. 12 revised, 1937, 212 § 2.

SECT. 12A added, 1933, 305 (to prevent certain fraudulent nominations).

SECT. 13, sentence added at end, 1933, 313 § 4: section amended, 1937, 26, 77 § 4.

SECT. 18 revised, 1934, 282.

SECT. 22A amended, 1932, 80.

SECT. 24. See 1937, 275.

SECT. 28 amended, 1932, 310 § 5; revised, 1933, 313 § 5; amended, 1934, 32 § 2. Affected (during 1934), 1934, 89. Affected also, 1937, 384, 435.

SECT. 32 amended, 1932, 310 § 6. Affected, 1937, 384, 435.

SECT. 34 revised, 1932, 310 § 7; fourth paragraph revised, 1937, 22. Section affected, 1937, 384, 435.

SECT. 35 amended, 1932, 310 § 8. Affected, 1937, 384, 435.

SECT. 40 revised, 1932, 30.

SECT. 41 revised, 1932, 310 § 9. Affected, 1937, 384, 435.

SECT. 42 amended, 1932, 310 § 10; 1937, 24 § 2. Affected, 1937, 384, 435.

SECT. 43 amended, 1932, 310, § 11; 1937, 201. (See 1937, 384, 435.)

SECT. 44 revised, 1932, 310 § 12; amended, 1935, 38. Affected, 1937, 384, 435.

SECT. 45 amended, 1932, 310 § 13; first paragraph amended, 1936, 22. Section affected, 1937, 384, 435.

SECT. 46 amended, 1936, 4 § 2; revised, 1937, 25 § 2.

SECT. 47 amended, 1932, 310 § 14. Affected, 1937, 384, 435.

SECT. 48 amended, 1932, 310 § 15. (Temporarily affected, 1934, 165; 1936, 150.) Affected also, 1937, 384, 435.

SECT. 49 revised, 1932, 310 § 16. Affected, 1937, 384, 435.

SECT. 51 amended, 1932, 310 § 17. Affected, 1937, 384, 435.

SECT. 52 amended, 1932, 310 § 18. Affected, 1937, 384, 435.

SECT. 53 revised, 1932, 310 § 19. Affected, 1937, 384, 435.

SECT. 53A amended, 1932, 310 § 20. Affected, 1937, 384, 435.

SECT. 54 revised, 1932, 310 § 21; two sentences added, 1935, 482 § 1; section amended, 1936, 11 § 1; 1937, 24 § 3. Affected, 1937, 384, 435. (See 1936, 11 §§ 2, 3.)

SECTS. 54A and 54B added, 1932, 310 § 22 (relative to proceedings at pre-primary conventions, to the form of certificates of nomination of candidates thereat, and to the acceptance of such nominations). Affected, 1937, 384, 435.

SECT. 55, paragraph added at end, 1936, 116 § 2.

SECT. 57 amended, 1937, 410.

SECT. 61 amended, 1936, 140; 1937, 411. (See G. L. chap. 54A § 3, inserted by 1937, 345.)

SECTS. 65-70 (and caption) repealed, 1932, 310 § 23. (See 1937, 384 435.)

SECT. 71. See 1937, 275.

SECT. 72A added, 1933, 313 § 6 (relative to caucuses before regular city elections in cities having absent voting); revised, 1937, 77 § 5.

SECT. 112 amended, 1935, 59 § 2.

SECT. 117 amended, 1932, 141 § 2.

SECT. 121 added, 1932, 141 § 3 (authorizing the nomination by caucuses other than those of political or municipal parties of two candidates for each town office); revised, 1936, 204.

Chapter 54. — Elections.

For legislation relative to election of city and town officers by proportional representation and preferential voting, see G. L. chap. 54A, inserted by 1937, 345.

SECT. 4 revised, 1935, 482 § 2; amended, 1936, 185; revised, 1937, 412.

SECT. 9A added, 1937, 267 § 1 (relative to the use of precincts in certain towns in the formation of representative districts).

SECT. 11 amended, 1932, 76 § 1; 1934, 158 § 1; 1937, 27.

SECT. 11A added, 1932, 76 § 2 (dispensing with the appointment of deputy election officers in certain cities).

SECT. 12 amended, 1934, 158 § 2.

SECT. 13 amended, 1934, 158 § 3.

SECT. 19 amended, 1934, 158 § 4.

SECT. 21 amended, 1934, 158 § 5.

SECT. 33, last sentence stricken out, and paragraph inserted at end, 1935, 238 § 1.

SECT. 34 revised, 1936, 205 § 1.

SECT. 38 revised, 1936, 205 § 2.

SECT. 41, third paragraph amended, 1933, 35 § 2.

SECT. 42 amended, 1932, 135 § 5; first paragraph amended, 1935, 238 § 2.

SECT. 43 revised, 1932, 135 § 1.

SECT. 62 amended, 1935, 257 § 5. (See 1935, 257 § 12.)

SECT. 64, last paragraph amended, 1934, 39 § 5.

SECT. 65 revised, 1933, 289 § 1.

SECT. 71. See 1937, 275.

SECT. 78 revised, 1932, 135 § 2.

SECT. 85A added, 1937, 275 § 1 (relative to the challenging of voters at polling places at certain elections, primaries and caucuses). (See 1937, 275 § 2)

SECT. 87, subsection (b) revised, 1936, 404 § 1; subsection (c) revised, 1936, 404 § 2; subsection (c) amended, 1937, 162 § 2.

SECT. 89 revised, 1936, 404 § 3.

SECT. 92 revised, 1936, 404 § 4; amended, 1937, 162 § 1.

SECT. 93 revised, 1936, 404 § 5.

SECT. 95 revised, 1936, 404 § 6.

SECT. 96 amended, 1936, 404 § 7.

SECT. 100 revised, 1936, 404 § 8.

SECT. 103A added, 1933, 313 § 1 (providing for absent voting at regular city elections); affected, 1936, 404 § 9; revised, 1937, 77 § 1.

SECT. 104 amended, 1934, 39 § 6.

SECT. 112 amended, 1935, 257 § 6. (See 1935, 257 § 12.)

SECT. 122 amended, 1935, 257 § 7. (See 1935, 257 § 12.)

SECT. 132 amended, 1932, 33.

SECT. 133 amended, 1937, 21 § 2.

SECT. 135, first paragraph amended, 1933, 254 § 17; section revised, 1933, 270; first paragraph revised, 1935, 59 § 1; third paragraph revised, 1937, 303. (See 1933, 254 § 66.)

SECT. 137 amended, 1935, 55.

SECT. 138, last paragraph amended, 1937, 23 § 1.

SECT. 144 revised, 1935, 257 § 8. (See 1935, 257 § 12.)

SECT. 146 amended, 1935, 257 § 9. (See 1935, 257 § 12.)

SECT. 148 amended, 1937, 23 § 2.

SECT. 151 amended, 1932, 135 § 3.

SECT. 158 amended, 1935, 257 § 10. (See 1935, 257 § 12.)

SECT. 161 (except last paragraph) amended, 1934, 265.

Chapter 54A. — Election of City and Town Officers by Proportional Representation and Preferential Voting.

New chapter inserted, 1937, 345.

Chapter 56. — Violations of Election Laws.

SECT. 39 revised, 1933, 289 § 2.

Chapter 58. — General Provisions relative to Taxation.

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1935, 498 §§ 2, 3, 4; 1936, 440 §§ 2, 3, 4; 1937, 444 §§ 2, 3, 4.

SECT. 1, fifth sentence amended, 1932, 180 § 9; same sentence revised, 1937, 108 § 2.

SECT. 2 amended, 1933, 254 § 18. (See 1933, 254 § 66.)

SECT. 3 amended, 1933, 254 § 19. (See 1933, 254 § 66.)

SECT. 8 revised, 1935, 322 § 1.

SECT. 10 amended, 1934, 323 § 9. (See 1934, 323 § 11.)

SECT. 13 amended, 1933, 254 § 20. (See 1933, 254 § 66.)

SECT. 15 amended, 1933, 254 § 21. (See 1933, 254 § 66.)

SECT. 18 revised, 1933, 350 § 7; amended, 1936, 405 § 1; affected, 1933, 357 § 4; 1935, 438 § 2. (See 1933, 307 § 11, 350 § 9; 1936, 362 § 4.)

SECT. 20 revised, 1936, 362 § 3; amended, 1937, 108 § 1. (See 1936, 362 §§ 4, 8; 1937, 108 § 3.)

SECT. 20A added, 1936, 376 § 3 (relative to the set-off of money due to the commonwealth from a city or town against sums due to the city or town from the commonwealth).

SECT. 21 amended, 1933, 254 § 22; repealed, 1934, 323 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECTS. 22 and 23 repealed, 1934, 323 § 1. (See 1934, 323 § 11.)

SECT. 24 amended, 1933, 254 § 23. (See 1933, 254 § 66.)

SECT. 24A revised, 1934, 323 § 2. (See 1934, 323 § 11.)

SECT. 25 revised, 1934, 323 § 3. (See 1934, 323 § 11.)

SECT. 25A revised, 1934, 323 § 4. (See 1934, 323 § 11.)

SECT. 26 amended, 1933, 254 § 24; repealed, 1934, 323 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 31 added, under heading "FORMS", 1937, 135 § 1 (relative to forms of application for abatement of taxes and certain other forms and the approval thereof by the commissioner of corporations and taxation).

Chapter 58A. — Appellate Tax Board (former title, Board of Tax Appeals).

Title revised, 1937, 400 § 2.

For legislation abolishing the board of tax appeals and creating the appellate tax board, see 1937, 400.

SECT. 1 revised, 1937, 400 § 3. (See 1937, 400 §§ 1, 2, 4, 5, 7.)

SECT. 6 amended, 1932, 180 § 10; revised, 1933, 167 § 4; one word stricken out, 1934, 323 § 10. (See 1933, 167 § 5; 1934, 323 § 11; 1937, 400 § 1.)

SECT. 7 revised, 1933, 321 § 2. (See 1933, 321 § 9.)

SECT. 7A added, 1933, 321 § 3 (providing for the establishment of informal procedure before the board of tax appeals); revised, 1935, 447. (See 1933, 321 §§ 8, 9.)

SECT. 8 revised, 1933, 321 § 4. (See 1933, 321 § 9.)

SECT. 8A added, 1935, 276 § 1 (providing for adequate discovery in tax appeal cases).

SECT. 10 revised, 1933, 321 § 5. (See 1933, 321 § 9.)

SECT. 12 amended, 1933, 321 § 6. (See 1933, 321 § 9.)

SECT. 13 revised, 1933, 321 § 7; one sentence revised, 1933, 350 § 8; same sentence amended, 1935, 218 § 1. (See 1933, 321 § 9, 350 § 9.)

Chapter 59. — Assessment of Local Taxes.

For temporary provisions relative to old age assistance taxes and state reimbursement of cities and towns for old age assistance given by them, see 1932, 259 §§ 1, 2. (For prior legislation, see 1931, 398.)

For legislation relative to the collection of certain taxes and other charges due the commonwealth, see 1935, 498 §§ 2, 3, 4; 1936, 440 §§ 2, 3, 4; 1937, 444 §§ 2, 3, 4.

As to Boston taxes, see 1932, 125; 1933, 159; 1934, 201; 1935, 284; 1936, 224.

SECT. 1 amended, 1936, 202 § 1. (See 1936, 202 § 2.)

SECT. 5, clause First revised, 1936, 81; clause Third, subsection (c) amended, 1933, 198 § 1 (see 1933, 198 § 2); clause Sixteenth revised, 1936, 362 § 1 (see 1936, 362 §§ 4, 8); clause Seventeenth revised, 1935, 294; clause Twentieth revised, 1937, 132; clause Twenty-third amended, 1932, 114 § 4.

SECT. 6 amended, 1933, 254 § 25; 1936, 59 § 1. (See 1933, 254 § 66; 1936, 59 § 3.)

SECTS. 6 and 7. See 1934, 307.

SECT. 7, first paragraph amended, 1936, 59 § 2. (See 1936, 59 § 3.)

SECT. 8 amended, 1933, 80, 254 § 26; paragraph added at end, 1935, 119 § 1. (See 1933, 254 § 66; 1935, 119 § 2.)

SECT. 9 amended, 1933, 254 § 27. (See 1933, 254 § 66.)

SECT. 10 amended, 1933, 254 § 28. (See 1933, 254 § 66.)

SECT. 11 amended, 1933, 254 § 29; revised, 1936, 92. (See 1933, 254 § 66.)

SECT. 16 amended, 1937, 114.

SECT. 18, opening paragraph and clauses First and Second amended, 1933, 254 § 30; clause Second revised, 1936, 362 § 2. (See 1933, 254 § 66; 1936, 362 § 8.)

SECT. 19 amended, 1933, 254 § 31. (See 1933, 254 § 66.)

SECT. 20 revised, 1933, 254 § 32; amended, 1936, 376 § 1. (See 1933, 254 § 66.)

SECT. 21 revised, 1933, 254 § 33; 1936, 376 § 2. (See 1933, 254 § 66.)

SECT. 27 amended, 1936, 118 § 2. (See 1936, 118 § 3.)

SECT. 29, last three sentences revised, 1933, 254 § 34. (See 1933, 254 § 66.)

- SECT. 33 amended, 1933, 254 § 35. (See 1933, 254 § 66.)
- SECT. 39 amended, 1933, 254 § 36. (See 1933, 254 § 66.)
- SECT. 41 amended, 1933, 254 § 37. (See 1933, 254 § 66.)
- SECT. 45 amended, 1933, 254 § 38; form appended to section amended, 1933, 254 § 39. (See 1933, 254 § 66.)
- SECT. 47 amended, 1933, 254 § 40. (See 1933, 254 § 66.)
- SECT. 49 amended, 1933, 254 § 41. (See 1933, 254 § 66.)
- SECT. 57 amended, 1933, 151 § 1; revised, 1933, 254 § 42; 1935, 158 § 1; amended, 1937, 203 § 1. (See 1933, 151 § 2; 254 § 66; 1935, 158 § 2; 1937, 203 § 2.)
- SECT. 59, sentence added at end, 1933, 165 § 1; section revised, 1933, 254 § 43, 266 § 1; 1934, 136 § 2; amended, 1935, 187 § 1. (See 1933, 254 § 66, 266 § 2; 1934, 136 § 3; 1935, 187 § 2.)
- SECT. 61, last sentence revised, 1933, 165 § 2.
- SECT. 61A added, 1935, 276 § 2 (providing for adequate discovery in proceedings for tax abatement).
- SECT. 64, first paragraph amended, 1933, 130 § 1; second paragraph amended, 1935, 218 § 2; section revised, 1937, 400 § 6. (See 1937, 400 §§ 1-5, 7.)
- SECT. 65 amended, 1933, 130 § 2, 167 § 1.
- SECT. 65A added, 1932, 218 § 1 (providing that the sale or taking of real property for payment of unpaid taxes thereon shall not prejudice proceedings for the abatement of such taxes); revised, 1933, 325 § 18. (See 1932, 218 § 2; 1933, 325 § 19.)
- SECT. 69 amended, 1935, 218 § 3.
- SECT. 73 amended, 1933, 254 § 44. (See 1933, 254 § 66.)
- SECT. 74 amended, 1933, 254 § 45. (See 1933, 254 § 66.)
- SECT. 75 amended, 1934, 104.
- SECT. 83 amended, 1933, 254 § 46. (See 1933, 254 § 66.)
- SECT. 84 amended, 1933, 254 § 47. (See 1933, 254 § 66.)
- SECT. 85 amended, 1933, 254 § 48. (See 1933, 254 § 66.)
- SECT. 86 amended, 1933, 254 § 49. (See 1933, 254 § 66.)

Chapter 60. — Collection of Local Taxes.

Temporary acts providing for advance payments on account of taxes (for 1932, 1933 and 1934) in certain cities and towns, 1932, 94; 1933, 99.

- SECT. 1, third paragraph revised, 1933, 164 § 1.
- SECT. 3 revised, 1933, 254 § 50. (See 1933, 254 § 66.)
- SECT. 3A added, 1934, 136 § 1 (requiring that certain information relative to abatement or exemptions be included in tax bills); amended, 1936, 156. (See 1934, 136 § 3.)
- SECT. 3B added, 1935, 322 § 2 (relative to the suspension of payment of certain assessments payable by certain persons entitled to exemption from local taxes.)
- SECT. 5 revised, 1933, 168 § 2.
- SECT. 13, sentence added at end, 1937, 143 § 5.
- SECT. 15, first paragraph amended, 1934, 151 § 2; 1935, 252 § 1.
- SECT. 15A added, 1935, 252 § 2 (further regulating charges and fees for the collection of poll taxes).
- SECT. 16 revised, 1933, 168 § 1; amended, 1933, 254 § 51. (See 1933, 168 § 4, 254 § 66.)

SECT. 18 repealed, 1932, 54 § 1.

SECT. 22 revised, 1933, 254 § 52; affected, 1933, 308. (See 1933, 254 § 66.)

SECT. 23 revised, 1932, 197 § 1.

SECT. 37 amended, 1933, 254 § 53, 325 § 1; 1934, 131 § 2; revised, 1934, 169; amended, 1935, 269; 1936, 146. (See 1933, 254 § 66; 1934, 131 § 3.)

SECT. 38 amended, 1933, 254 § 54, 325 § 2. (See 1933, 254 § 66; 325 § 21.)

SECT. 39 amended, 1933, 325 § 3.

SECT. 42 revised, 1933, 164 § 2.

SECT. 43, last sentence revised, 1932, 54 § 2; section amended, 1935, 183, 236.

SECT. 45 amended, 1933, 325 § 4; 1937, 209.

SECT. 46, paragraph added at end, 1934, 131 § 1.

SECT. 48 amended, 1933, 325 § 5. (See 1933, 325 § 20.)

SECT. 50 revised, 1933, 325 § 6; amended, 1935, 414 § 1; 1936, 93 § 2. (See 1935, 414 § 4.)

SECT. 50A added, 1934, 154 § 2 (providing for protection of interests in real estate held under tax sales or takings).

SECT. 51 amended, 1933, 254 § 55. (See 1933, 254 § 66.)

SECT. 52 revised, 1936, 392 § 1.

SECT. 53 revised, 1933, 164 § 3. (See 1933, 325 § 20.)

SECT. 54 amended, 1933, 325 § 7.

SECT. 55 amended, 1933, 325 § 8.

SECT. 58 revised, 1932, 2.

SECT. 59 amended, 1933, 254 § 56. (See 1933, 254 § 66.)

SECT. 61 revised, 1933, 325 § 9; amended, 1934, 48; 1936, 93 § 1. (See 1933, 325 § 20.)

SECT. 62 revised, 1933, 325 § 10; first paragraph amended, 1934, 218; same paragraph revised, 1935, 414 § 2; second paragraph revised, 1935, 278; section revised, 1936, 392 § 2. (See 1935, 414 § 4.)

SECT. 63 amended, 1933, 325 § 11; revised, 1936, 392 § 3.

SECT. 65 amended, 1933, 325 § 12.

SECT. 66 amended, 1935, 224 § 1. (See 1935, 224 § 6.)

SECT. 67 amended, 1935, 224 § 2. (See 1935, 224 § 6.)

SECT. 68 amended, 1935, 224 § 3; paragraph added at end, 1935, 354 § 1; section amended, 1935, 414 § 3. (See 1935, 224 § 6, 354 § 3; 414 § 4.)

SECT. 69 amended, 1935, 224 § 4. (See 1935, 224 § 6.)

SECT. 70 amended, 1935, 224 § 5. (See 1935, 224 § 6.)

SECT. 75 amended, 1936, 189 § 1.

SECT. 76 revised, 1935, 318 § 1; amended, 1936, 189 § 2. (See 1935, 318 §§ 2, 8.)

SECT. 76A added, 1935, 354 § 2 (providing for redemption in part from tax sales in certain cases). (See 1935, 354 § 3.)

SECT. 78 amended, 1933, 325 § 13; repealed, 1936, 194. (See 1933, 325 § 20.)

SECT. 79, second paragraph amended, 1933, 325 § 14; 1935, 173 § 1.

SECT. 80 amended, 1933, 325 § 15; revised, 1935, 173 § 2.

SECT. 84 revised, 1935, 260.

SECT. 84A revised, 1933, 325 § 16; 1935, 181 § 1. (See 1935, 181 § 2.)

SECT. 92 revised, 1933, 82 § 1; amended, 1934, 259 § 1.

SECT. 95 revised, 1933, 325 § 17; amended, 1934, 315 § 2; revised, 1935, 248 § 3. (See 1934, 315 § 3.)

SECT. 97 revised, 1934, 151 § 1.

SECT. 104 revised, 1937, 43.

SECT. 105 revised, 1933, 168 § 3.

Form 2 in schedule at end of chapter repealed, 1932, 54 § 1; schedule of forms at end of chapter stricken out, 1933, 168 § 3.

Chapter 60A. — Excise Tax on Registered Motor Vehicles in Lieu of Local Tax.

SECT. 1, first paragraph amended, 1936, 384 § 1; last paragraph amended, 1936, 384 § 2.

SECT. 2 revised, 1936, 384 § 3.

SECT. 3 revised, 1936, 384 § 4.

SECT. 6 amended, 1936, 384 § 5.

Chapter 61. — Taxation of Forest Products and Classification and Taxation of Forest Lands.

SECT. 3 amended, 1933, 254 § 57. (See 1933, 254 § 66.)

Chapter 62. — Taxation of Incomes.

For temporary legislation, discontinuing the income tax exemption as to dividends of certain corporations, see 1933, 307, 357; 1935, 489; 1936, 82 § 1; 1937, 395.

For legislation, providing for temporary additional taxes upon personal incomes, see 1935, 480; 1936, 397; 1937, 422.

SECT. 1, subsection (c), paragraph Third added, 1935, 489 § 6; subsection (e) amended, 1935, 489 § 7.

SECT. 5, paragraph (b) amended, 1935, 489 § 8; paragraph (c) revised, 1934, 363 § 1; 1935, 481 § 1. (See 1934, 363 § 2; 1935, 481 § 2.)

SECT. 6, clause (g) revised, 1935, 436 § 1. (See 1935, 436 § 2.)

SECTS. 7A and 7B added, 1935, 438 § 1 (relative to income taxation of gains from certain transactions in real property).

SECT. 18. See Sect. 18 of Chapter 58 in this Table.

SECT. 21A added, under caption "PRESUMPTION AS TO INHABITANCY", 1936, 310 (providing that individuals under certain circumstances shall be presumed to be inhabitants of the Commonwealth for income tax purposes).

SECT. 25A added, 1935, 438 § 3 (relative to returns of taxable gains from certain transactions in real property).

SECT. 30 amended, 1935, 152.

SECT. 33, paragraph added, 1932, 186.

SECT. 36 amended, 1933, 167 § 2.

SECT. 37 revised, 1933, 350 § 1. (See 1933, 350 § 9.)

SECT. 37A added, 1933, 350 § 2 (providing for the payment of income taxes in two installments). (See 1933, 350 § 9.)

SECT. 39, first sentence revised, 1933, 350 § 3. (See 1933, 350 § 9.)

SECT. 41 revised, 1932, 152; 1933, 350 § 4. (See 1933, 350 § 9.)

SECT. 43 amended, 1933, 350 § 5; 1937, 135 § 2. (See 1933, 350 § 9.)

SECT. 46 revised, 1933, 350 § 6. (See 1933, 350 § 9.)

Chapter 63. — Taxation of Corporations.

SECT. 1, paragraph defining "Net income" revised, 1933, 327 § 1. (See 1933, 327 § 7.)

SECT. 2 amended, 1933, 327 § 2. (See 1933, 327 § 7.)

SECT. 3 amended, 1933, 254 § 58; 1934, 323 § 5. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 5 amended, 1933, 254 § 59; repealed, 1934, 323 § 1. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 6 repealed, 1934, 323 § 1. (See 1934, 323 § 11.)

SECT. 12, paragraph (c) amended, 1937, 274 § 1; paragraph (h) added at end, 1934, 362.

SECTS. 30-51. See 1934, 317 § 2.

SECTS. 30-60. For legislation, providing for temporary additional taxes levied under these sections, see 1935, 480; 1936, 397; 1937, 422.

SECT. 30, paragraph contained in lines 48-51 amended, 1933, 58 § 3; paragraph contained in lines 70-74 amended, 1933, 58 § 4; paragraphs contained in lines 52-69, and paragraph amended by 1933, 58 § 4, revised, 1934, 237 § 1; paragraph 5 revised, 1933, 327 § 3. (See 1933, 58 § 5, 327 § 7; 1934, 237 § 2.)

SECT. 32 revised, 1933, 342 § 1; amended, 1936, 362 § 5. (See 1933, 342 § 6; 1936, 362 § 8.)

SECT. 32A amended, 1933, 342 § 2. (See 1933, 342 § 6.)

SECT. 33 revised, 1933, 303 § 1. (See 1933, 303 § 3.)

SECT. 34 amended, 1933, 327 § 4. (See 1933, 327 § 7.)

SECT. 35 revised, 1933, 58 § 1.

SECT. 36 revised, 1933, 327 § 5; amended, 1935, 473 § 2. (See 1933, 327 § 7; 1935, 473 § 7.)

SECT. 38, paragraph 10 added at end, 1933, 342 § 3. (See 1933, 342 § 6.)

SECT. 38B, last paragraph amended, 1935, 473 § 3. See 1935, 473 § 7. (For temporary legislation affecting the taxation, during 1934, 1935, 1936, 1937, 1938 and 1939, of corporations subject to this section, see 1934, 317 § 1; 1935, 489 § 4; 1937, 395 § 5.)

SECT. 38C revised, 1937, 383 § 1. (See 1937, 383 § 3.)

SECT. 39, subsection (1) revised, 1936, 362 § 6; last paragraph amended, 1933, 327 § 6; new paragraph added at end, 1933, 342 § 4. (See 1933, 327 § 7, 342 § 6; 1936, 362 § 8.)

SECT. 39A revised, 1933, 303 § 2; first paragraph amended, 1934, 134. (See 1933, 303 § 3.)

SECT. 40 revised, 1933, 58 § 2.

SECT. 42, last sentence amended, 1932, 180 § 11; section revised, 1933, 342 § 5. (See 1933, 342 § 6.)

SECT. 42B revised, 1937, 383 § 2. (See 1937, 383 § 3.)

SECT. 43. See 1933, 307 § 9A, 357; 1935, 489; 1937, 395.

SECT. 44 amended, 1935, 473 § 4; amended, 1936, 362 § 7. (See 1935, 473 § 7; 1936, 362 § 8.)

SECT. 45 amended, 1933, 195 § 1; revised, 1935, 473 § 5. (See 1933, 195 § 2; 1935, 473 § 7.)

SECT. 48 revised, 1935, 473 § 1. (See 1935, 473 § 7.)

SECT. 53, first paragraph amended, 1933, 254 § 60; clause Fourth revised, 1934, 323 § 6. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 54, paragraph in lines 9-17 amended, 1933, 254 § 61; same paragraph revised, 1934, 323 § 7; last paragraph amended, 1934, 323 § 7A. (See 1933, 254 § 66; 1934, 323 § 11.)

SECT. 55, first paragraph amended, 1936, 134.

SECT. 56A revised, 1934, 317 § 3. (See 1934, 317 § 4.)

SECT. 59 amended, 1934, 323 § 8. (See 1934, 323 § 11.)

SECT. 70 revised, 1935, 473 § 6. (See 1935, 473 § 7.)

SECT. 71 amended, 1933, 167 § 3.

SECT. 71A amended, 1935, 150.

SECT. 71B added, 1937, 135 § 3 (providing that applications for abatement or correction of taxes, made pursuant to any provision of this chapter, shall be in writing upon forms approved by the commissioner).

Chapter 64A. — Taxation of Sales of Gasoline and Certain Other Motor Vehicle Fuel.

Chapter affected, 1932, 248; 1935, 336; 1936, 398.

SECT. 1, paragraph (*d*) revised, 1936, 357 § 1. (See 1936, 357 § 3.)

SECT. 5 amended, 1936, 357 § 2. (See 1936, 357 § 3.)

Chapter 65. — Taxation of Legacies and Successions.

For legislation providing for temporary additional taxes upon successions and legacies, see 1935, 480; 1936, 397; 1937, 422.

SECT. 1, table revised, 1933, 293.

SECTS. 24A-24F added, 1933, 319 (providing reciprocal relations in respect to death taxes upon estates of non-resident decedents).

Chapter 65A. — Taxation of Transfers of Certain Estates.

SECT. 1, paragraph added at end, 1932, 284; second paragraph revised, 1933, 316 § 1; section amended, 1937, 420 § 1. (See 1933, 316 § 2; 1937, 420 § 4.)

SECT. 6 amended, 1937, 420 § 2. (See 1937, 420 § 4.)

SECT. 7 repealed, 1937, 420 § 3. (See 1937, 420 § 4.)

Chapter 66. — Public Records.

SECT. 3 revised, 1936, 305.

Chapter 68. — Donations and Conveyances for Pious and Charitable Uses.

SECT. 10, sentence added at end, 1934, 238.

Chapter 69. — Powers and Duties of the Department of Education.

SECT. 6 amended, 1932, 127 § 3.

SECT. 7 amended, 1935, 275; 1937, 213, 327.

SECT. 8 amended, 1932, 127 § 4.

SECT. 25 revised, 1935, 397.

SECT. 26, paragraph added at end, 1935, 286.

Chapter 70. — School Funds and Other State Aid for Public Schools.

SECT. 2 amended, 1932, 127 § 5.

SECT. 4, last paragraph amended, 1934, 143.

SECT. 6 amended, 1932, 127 § 6.

SECT. 18 amended, 1932, 127 § 7.

Chapter 71. — Public Schools.

SECT. 30A added, 1935, 370 § 1 (requiring that an oath or affirmation be taken and subscribed to by certain professors, instructors and teachers in the colleges, universities and schools of the commonwealth). (See 1935, 370 §§ 2, 2A, 3.)

SECT. 42 revised, 1934, 123.

SECT. 46A amended, 1932, 159.

SECT. 47 revised, 1935, 199.

SECT. 48A amended, 1935, 47.

SECT. 52 amended, 1932, 90.

SECT. 58 amended, 1932, 127 § 8; revised, 1935, 287.

SECT. 66, paragraph added at end, 1937, 281.

SECT. 68 revised, 1934, 97 § 1. (See 1934, 97 § 2.)

SECT. 69 revised, 1935, 258.

SECT. 71 amended, 1935, 193.

Chapter 73. — State Teachers Colleges (former title, State Normal Schools).

Title changed, 1932, 127 § 9.

SECT. 1 amended, 1932, 127 § 10.

SECT. 2 amended, 1932, 127 § 11.

SECT. 3 amended, 1932, 127 § 12.

SECT. 4 amended, 1932, 127 § 13.

SECT. 4A amended, 1932, 127 § 14.

SECT. 5 amended, 1932, 127 § 15. (Temporarily affected, 1933, 233; 1934, 130; 1935, 277.)

SECT. 6 amended, 1932, 127 § 16.

SECT. 7 amended, 1932, 127 § 17; revised, 1935, 21.

Chapter 74. — Vocational Education.

SECT. 8A revised, 1937, 323.

SECT. 11 amended, 1933, 102 § 2. (See 1933, 102 § 4.)

SECT. 23 repealed, 1933, 102 § 3. (See 1933, 102 § 4.)

SECT. 30 amended, 1937, 41.

SECT. 31A added, 1934, 65 (authorizing the trustees of the Essex county agricultural school to pay transportation costs of certain pupils attending said school).

SECT. 47E, new paragraph added at end, 1935, 22.

Chapter 75. — Massachusetts State College.

SECT. 5 revised, 1935, 288.

SECT. 6 amended, 1935, 462 § 2. (See 1935, 462 § 1.)

Chapter 77. — School Offenders and County Training Schools.

For legislation requiring the closing of the Norfolk, Bristol and Plymouth union training school, see 1933, 295 § 2.

SECT. 1 revised, 1933, 295 § 1.

Chapter 78. — Libraries.

SECT. 4 revised, 1935, 202.

Chapter 79. — Eminent Domain.

SECT. 8 amended, 1936, 187 § 1.

SECT. 15 repealed, 1936, 385 § 1. (See 1936, 385 § 2.)

SECT. 16 amended, 1936, 187 § 2.

SECT. 44A added, 1935, 189 (relative to certain tax liens upon real estate taken by right of eminent domain); amended, 1936, 137.

Chapter 80. — Betterments.

SECT. 1 amended, 1933, 254 § 62. (See 1933, 254 § 66.)

SECT. 4 revised, 1933, 63 § 1.

SECT. 5 amended, 1933, 157 § 2. (See 1933, 157 § 3.)

SECT. 10 revised, 1933, 147.

SECT. 10A added, 1933, 157 § 1 (providing that failure of a board of officers to take action upon a petition for abatement of a betterment assessment shall, for the purposes of appeal, be equivalent to refusal to abate the assessment). (See 1933, 157 § 3.)

SECT. 13 amended, 1933, 63 § 2, 254 § 63; revised, 1934, 315 § 1. (See 1933, 254 § 66; 1934, 315 § 3.)

Chapter 81. — State Highways.

SECT. 5 revised, 1937, 218 § 1.

SECT. 7A added, 1937, 344 (granting certain powers to the department of public works with respect to certain ways connecting with state highways).

SECT. 8 revised, 1936, 371; amended, 1937, 218 § 2.

SECT. 13A added, 1936, 342 (authorizing the department of public works to accept in behalf of the commonwealth gifts of certain easements for the purpose of landscaping along state highways, and to do such landscaping).

SECT. 19, last four sentences stricken out, 1933, 187 § 1. (See 1933, 187 § 2.)

SECT. 26 amended, 1934, 366.

Chapter 82. — The Laying Out, Alteration, Relocation and Discontinuance of Public Ways, and Specific Repairs Thereon.

SECT. 7 amended, 1933, 283 § 2.

SECT. 32B added, 1933, 283 § 3 (authorizing the taking of easements of slope, so called, by county, city or town officers in connection with the laying out, widening, altering or relocating of public ways).

SECT. 34 amended, 1935, 309.

Chapter 84. — Repair of Ways and Bridges.

SECT. 18 revised, 1933, 114 § 1.

SECT. 19 amended, 1933, 114 § 2.

SECT. 20 revised, 1933, 114 § 3.

SECT. 25. Temporarily affected, 1934, 163.

Chapter 85. — Regulations and By-Laws relative to Ways and Bridges.

SECT. 17B added, 1933, 43 (prohibiting riding upon the rear or on the side of street railway cars or motor buses without the consent of the persons in charge thereof).

SECT. 30 amended, 1935, 30.

Chapter 89. — Law of the Road.

SECT. 2 revised, 1933, 301.

SECT. 5 amended, 1936, 49.

SECT. 7B added, 1934, 382 (relative to the application of traffic laws and regulations to fire apparatus and other emergency vehicles).

Chapter 90. — Motor Vehicles and Aircraft.

SECT. 1, paragraph (defining "motor vehicles") amended, 1932, 182; paragraph in lines 41-45 (defining "register number") revised, 1935, 43; two paragraphs (defining "semi-trailer" and "semi-trailer unit") added, 1933, 332 § 1; paragraph (defining "school bus") added, 1932, 271 § 1; paragraph in lines 52-56 stricken out, and two paragraphs (defining "tractor" and "trailer") inserted, 1933, 332 § 2. (See 1932, 271 § 7; 1933, 332 § 5.)

SECT. 1A amended, 1933, 372 § 3; 1934, 264 § 2.

SECT. 2, fourth paragraph revised, 1932, 5; last paragraph revised, 1933, 54.

SECT. 3, first sentence revised, 1933, 188.

SECT. 3C revised, 1937, 387.

SECT. 7 amended, 1932, 123 § 1; 1933, 51; second sentence amended, 1933, 109. (See 1932, 123 § 2.)

SECT. 7A revised, 1932, 41, 271 § 2. (See 1932, 271 § 7.)

SECT. 7B added, 1932, 271 § 3 (prerequisites to operation of school bus). (See 1932, 271 § 7.)

SECT. 8 amended, 1934, 103; 1937, 284.

SECT. 9 amended, 1934, 361.

SECT. 9A revised, 1932, 168 § 1; 1935, 393 § 1. (See 1932, 168 §§ 2, 3; 1935, 393 § 2.)

SECT. 10 amended, 1935, 219.

SECT. 15 amended, 1932, 271 § 5; 1933, 26 § 1. (See 1932, 271 § 7.)

SECT. 17, sentence added at end, 1932, 271 § 4. (See 1932, 271 § 7.)

SECT. 19, last sentence revised, 1933, 332 § 3; 1935, 223 § 1; section revised, 1935, 326 (but see 1935, 465); amended, 1936, 388 § 1. (See 1933, 332 § 5; 1935, 223 § 2; 1936, 388 § 2.)

SECT. 20A added, 1934, 368 § 1 (providing for the non-criminal disposition of charges for violation of motor vehicle parking rules, regulations, orders, ordinances and by-laws); revised, 1935, 176. (See 1934, 368 § 2.)

SECT. 21 amended, 1936, 406.

SECT. 22, two paragraphs added at end, 1933, 191.

SECT. 22A added, 1932, 304 § 1 (requiring the suspension of licenses to operate motor vehicles issued to persons who do not satisfy judgments in motor vehicle accident cases involving property damage). (See 1932, 304 § 2.)

SECT. 23, new paragraph added at end, 1933, 69.

SECT. 24 amended, 1932, 26 § 1; first sentence amended, 1936, 182 § 1; sentence contained in lines 65-97 amended, 1935, 360; paragraph added at end, 1936, 182 § 2; section revised, 1936, 434 § 1; paragraph (2) (a) amended, 1937, 230 § 1; paragraph (2) (c) amended, 1937, 117. (See 1937, 230 § 2.)

SECT. 29, last sentence amended, 1932, 26 § 2; section amended, 1935, 477 § 1; second sentence revised, 1936, 391.

SECT. 32B repealed, 1934, 209 § 2. (See 1934, 209 § 3.)

SECTS. 32C-32F added, 1934, 209 § 1 (further regulating the business of leasing motor vehicles upon a mileage basis). (See 1934, 209 § 3.)

SECT. 33, first four paragraphs stricken out, and five new paragraphs inserted, 1932, 249 § 1; fourth paragraph (as appearing in 1932, 249 § 1) amended, 1933, 183 § 1; paragraph in lines 21-41 amended, 1932, 180 § 12; same paragraph stricken out, and two paragraphs inserted, 1933, 332 § 4; two paragraphs so inserted stricken out, and new paragraph inserted, 1935, 409 § 1; the paragraph so inserted amended, 1936, 380 § 1; subdivisions (2) and (3) of the paragraph so inserted revised, 1937, 377; last paragraph amended, 1936, 401. (See 1932, 249 § 2; 1933, 183 § 2, 332 § 5; 1935, 409 § 2; 1936, 380 § 2.)

SECT. 34, four words stricken out, 1933, 197 § 3; first paragraph amended, 1934, 364 § 1. (See 1934, 364 § 3.)

SECT. 34A, new paragraph (defining "guest occupant") added, 1935, 459 § 1; paragraphs defining "motor vehicle liability bond" and "motor vehicle liability policy" revised, 1935, 459 § 2. (See 1935, 459 § 5.)

SECT. 34B, second paragraph revised, 1933, 83 § 1; 1935, 302; fourth paragraph revised, 1933, 83 § 2. (See 1933, 83 § 3.)

SECT. 34C amended, 1932, 180 § 13.

SECT. 34D revised, 1935, 459 § 3. (See 1935, 459 § 5.)

SECT. 34H, first paragraph amended, 1933, 119 § 4; new paragraph inserted, 1933, 119 § 5. (See 1933, 119 § 6.)

SECTS. 35-60 stricken out, and new sections 35-50 (uniform aeronautical code) inserted, 1935, 418 § 2.

SECT. 53, last sentence amended, 1932, 180 § 14. Section stricken out and new section inserted, 1935, 418 § 2.

Chapter 91. — Waterways.

SECT. 27, paragraph added at end, 1937, 372 § 2.

SECT. 46A added, 1935, 362 § 1 (penalizing the unlicensed breaking up or altering of vessels, scows, lighters or certain other structures).

SECT. 49 revised, 1935, 362 § 2.

Chapter 92. — Metropolitan Sewers, Water and Parks.

For legislation including a certain portion of Lexington in the north metropolitan sewerage system, see 1934, 225.

SECT. 48 amended, 1934, 266 § 1. (See 1934, 266 § 4.)

SECT. 56 revised, 1933, 197 § 1.

SECT. 57 amended, 1933, 197 § 2.

SECT. 60A added, 1937, 352 § 1 (regulating the making and awarding of certain contracts by the metropolitan district commission and metropolitan district water supply commission). (See 1937, 352 § 2.)

SECT. 62A added, 1937, 416 § 1 (providing for a reserve police force for the metropolitan district commission). (See 1937, 416 § 5.)

SECT. 63 repealed, 1937, 416 § 2. (See 1937, 416 § 5.)

SECT. 93 amended, 1934, 266 § 2. (See 1934, 266 § 4.)

SECT. 94 amended, 1934, 266 § 3. (See 1934, 266 § 4.)

Chapter 93. — Regulation of Trade and Certain Enterprises.

SECTS. 14A–14D added, under heading “FAIR TRADE”, 1937, 398 (protecting trade-mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a trade mark, brand or name).

Chapter 94. — Inspection and Sale of Food, Drugs and Various Articles.

SECT. 1, paragraph in lines 128–132 (defining “pasteurized milk”) revised, 1932, 158; section amended in part, 1933, 67 §§ 1–5; paragraph (defining “milk plant” and “manufactory”) added, 1933, 338 § 1; paragraph in lines 30–36 (defining “butter” and “cheese”) stricken out and new paragraph defining “butter” inserted, 1937, 335 § 1; paragraph in line 40 reading, “cheese”, see “butter”, stricken out and four new paragraphs inserted, 1937, 335 § 2 (defining cheese and cream cheese); paragraph (defining “bakery”) amended, 1937, 362 § 1. (See 1937, 362 § 7.)

SECT. 6 amended, 1937, 362 § 2. (See 1937, 362 § 7.)

SECT. 8 revised, 1937, 53.

SECTS. 9A–9M added, 1937, 362 § 3 (changing the position in the General Laws of certain provisions of law relative to bakeries). (For prior legislation, see G. L. chap. 111 §§ 34–43, 46–49, repealed by 1937, 362 § 6.) (See 1937, 362 §§ 6, 7.)

SECT. 10 amended, 1937, 362 § 4. (See 1937, 362 § 7.)

SECTS. 10A–10E stricken out, and new sections 10A–10G (regulating the manufacture, bottling and sale of certain non-alcoholic beverages) inserted, 1935, 441.

SECTS. 12–48A. For temporary legislation establishing within the department of agriculture a milk control board, and defining its powers and duties, see 1934, 376; term of office of said board extended, 1936, 300; powers and duties of the milk control board further defined, 1937, 428.

SECTS. 13, 14, 14A and 15 stricken out, and new sections 13–13E (relative to the grading of milk) inserted, 1933, 263 § 1. (See 1933, 263 § 3.)

SECT. 16 stricken out and sections 16–16I (regulating the production, sale and distribution of milk) inserted, 1932, 305 § 3. (See 1932, 305, §§ 5, 6.)

SECT. 17A amended, 1933, 124.

SECT. 18 revised, 1933, 263 § 2. (See 1933, 263 § 3.)

SECT. 29A revised, 1933, 253.

SECT. 30 revised, 1933, 253.

SECT. 31 revised, 1933, 253.

SECT. 42A stricken out, and new sections 42A–42K (requiring dealers in milk or cream to be licensed and bonded) inserted, 1933, 338 § 2.

SECT. 42A amended, 1935, 126.

SECT. 42F revised, 1934, 180 § 1.

SECT. 42H, paragraph 2 revised, 1934, 180 § 2.

SECT. 43 revised, 1932, 305 § 4; amended, 1935, 88; first paragraph amended, 1936, 210. (See 1932, 305 §§ 5, 6.)

SECT. 45 revised, 1935, 317.

SECT. 48B added, 1935, 259 (requiring institutions supported wholly or in part by funds of the commonwealth to use milk, other than cream and certified milk, produced within the commonwealth).

SECT. 50 amended, 1937, 335 § 3.

SECT. 60 revised, 1934, 373 § 2.

SECT. 61A added, 1937, 335 § 4 (relative to the manufacture and sale of certain cheese).

SECTS. 64, 64A, 65, 65A, 65B, 65E and 65F, and the caption of said section 64, stricken out, and sections 65G–65S inserted, under caption “FROZEN DESSERTS AND ICE CREAM MIX”, 1934, 373 § 1. (See 1934, 373 § 8.)

SECT. 65J, second paragraph revised, 1937, 341 § 1.

SECT. 65L, subdivision (c) amended, 1937, 341 § 2.

SECT. 65P, paragraph (f) added at end, 1937, 341 § 3.

SECT. 74 revised, 1933, 329 § 5.

SECT. 74A added, 1933, 329 § 6 (definition of “fish”).

SECTS. 75 and 76 repealed, 1933, 329 § 7.

SECT. 77, first sentence stricken out, 1933, 329 § 8.

SECT. 77A added, 1934, 216 (regulating the importation of fresh swordfish).

SECT. 78 revised, 1933, 329 § 9.

SECT. 78A added, 1933, 329 § 10 (prohibiting certain misrepresentations in the sale of lobsters).

SECT. 79 repealed, 1933, 329 § 7.

SECT. 81 revised, 1933, 329 § 11.

SECT. 83 revised, 1933, 329 § 12.

SECT. 88A revised, 1933, 329 § 13.

SECT. 88B added, 1936, 176 (requiring that shucked scallops and quahaugs in the shell be sold only by weight).

SECT. 90A added, 1935, 369 (relative to the sale and distribution of eggs).

SECT. 92B added, under caption “MEATS AND POULTRY”, 1935, 97 (requiring the retail sale of meats and poultry to be by weight).

SECT. 123 amended, 1932, 180 § 15.

SECT. 146, first paragraph amended, 1934, 340 § 6. (See 1934, 340 § 18.)

SECT. 148, second paragraph amended, 1934, 340 § 6A. (See 1934, 340 § 18.)

SECTS. 152A–152C added, 1934, 296 (relative to the sale and transportation of poultry).

SECT. 152A amended, 1935, 157 § 1.

SECT. 152B revised, 1935, 157 § 2.

SECT. 153A added, 1933, 116 (relative to the sale of meat and meat products containing certain preservatives); revised, 1933, 311.

SECT. 185A repealed, 1937, 341 § 4.

SECT. 197, paragraph in lines 10–15 revised, 1935, 412 § 1.

SECT. 198 amended, 1935, 412 § 2.

SECTS. 198A and 198B added, 1935, 412 § 3 (relative to the licensing of certain dealings in narcotic drugs).

SECT. 201 amended, 1935, 412 § 4.

SECT. 203 amended, 1935, 412 § 5.

SECT. 206 amended, 1935, 412 § 6.

SECT. 211 amended, 1935, 412 § 7.

SECT. 214 amended, 1935, 412 § 8.

SECT. 215 amended, 1935, 412 § 9.

SECT. 217 amended, 1935, 412 § 10.

SECT. 245 revised, 1933, 94 § 2.

SECT. 248 amended, 1934, 184.

SECT. 249G added, under caption "MATERIAL FOR ROAD CONSTRUCTION", 1933, 94 § 1 (authorizing certain officers to direct the weighing of material for road construction).

SECT. 250 revised, 1933, 67 § 6.

SECT. 252 amended, 1933, 67 § 7.

SECT. 254 amended, 1933, 67 § 8.

SECT. 255 amended, 1933, 67 § 9.

SECT. 256 revised, 1933, 67 § 10.

SECT. 257 revised, 1933, 67 § 11.

SECT. 258 revised, 1933, 67 § 12.

SECTS. 261H-261L stricken out, and new sections 261H-261L inserted, 1937, 288 § 1. (See 1937, 288 § 2.)

SECT. 270, paragraph added at end, 1937, 176.

SECTS. 270A and 270B added, 1935, 439 (providing for the sterilization of feathers, down and second-hand material intended for use in the manufacture of any article of bedding or of upholstered furniture).

SECT. 295A added, under heading "PETROLEUM PRODUCTS", 1933, 228 (relative to prevention of fraud and misrepresentation in the sale of gasoline, lubricating oils and other motor fuels, and to prevention of the adulteration thereof).

SECT. 298 amended, 1934, 109 § 1.

SECT. 299 amended, 1934, 109 § 2.

SECTS. 303A-303E added, under caption "METHYL OR WOOD ALCOHOL", 1934, 372 § 3 (relative to such alcohol and to certain preparations containing such alcohol).

SECT. 303A amended, 1935, 342; 1936, 53.

SECT. 303B amended, 1937, 177 § 1.

SECT. 303C revised, 1937, 177 § 2.

SECT. 303F added, under caption "FUEL OILS", 1935, 95 (regulating the sale of fuel oils).

SECT. 305A amended, 1937, 362 § 5. (See 1937, 362 § 7.)

Chapter 98. — Weights and Measures.

SECT. 14A amended, 1936, 73.

SECT. 20 amended, 1934, 373 § 3.

SECT. 21 amended, 1934, 373 § 4.

SECT. 30 repealed, 1935, 60 § 2.

SECT. 32 amended, 1935, 60 § 3.

SECT. 37 amended, 1936, 72.

SECT. 56, paragraph ($b\frac{1}{2}$) added, 1934, 98 (establishing fees for sealing certain liquid-measuring meters); section revised, 1937, 74; paragraph ($b\frac{1}{2}$) added, 1937, 305 § 1. (See 1937, 305 § 2.)

Chapter 100. — Auctioneers.

SECT. 1, paragraph added at end, 1936, 209 § 1.

SECT. 5 amended, 1932, 156 § 1.

SECT. 14 revised, 1932, 156 § 2.

SECT. 16 revised, 1932, 156 § 3.

SECTS. 18-21 added, 1936, 209 § 2 (relative to bankruptcy auctions and other auctions of similar type and relative to certain fraudulent practices at auctions).

Chapter 101. — Transient Vendors, Hawkers and Pedlers.

SECT. 1, second paragraph revised, 1936, 218.

SECT. 5 amended, 1933, 254 § 64. (See 1933, 254 § 66.)

SECT. 15 amended, 1937, 214; revised, 1937, 333.

SECT. 16 revised, 1935, 42; amended, 1937, 130.

SECT. 19 amended, 1934, 114; 1937, 73.

SECT. 24 amended, 1936, 74.

SECT. 30 amended, 1934, 77.

Chapter 102. — Shipping and Seamen, Harbors and Harbor Masters.

SECT. 15 revised, 1932, 232 § 1.

SECT. 15A added, 1932, 232 § 2 (penalty for improper operation of motor and other boats).

SECT. 17 revised, 1932, 57.

Chapter 105. — Public Warehouses.

SECT. 1 amended, 1935, 310 § 1.

SECTS. 2A and 2B added, 1935, 122 § 1 (relative to the termination of liability of sureties on bonds furnished by public warehousemen). (See 1935, 122 § 3.)

SECT. 6 revised, 1935, 122 § 2. (See 1935, 122 § 3.)

SECT. 9, clause (h) revised, 1935, 310 § 2.

Chapter 108A. — Partnerships.

SECT. 34, first paragraph amended, 1932, 180 § 16.

Chapter 110. — Labels, Trade Marks, Names and Registration Thereof.

SECT. 21 amended, 1934, 373 § 5.

Chapter 110A. — Promotion and Sale of Securities.

Chapter stricken out and new chapter inserted, 1932, 290 § 1. (See 1932, 290 §§ 3, 4.)

The following references are to the new chapter 110A:

SECT. 2, paragraph (c) amended, 1936, 316.

SECT. 13 amended, 1936, 68.

Chapter 111. — Public Health.

SECT. 11 revised, 1934, 328 § 1.

SECT. 15 amended, 1934, 340 § 7. (See 1934, 340 § 18.)

SECT. 16 amended, 1934, 340 § 8. (See 1934, 340 § 18.)

SECT. 17 amended, 1937, 340.

SECT. 24 amended, 1937, 365.

SECT. 27A revised, 1932, 209.

SECT. 31 amended, 1937, 285.

SECT. 31A stricken out, and new sections 31A and 31B inserted, 1937, 282.

SECTS. 34-43 and 46-49, and the caption preceding section 34, repealed, 1937, 362 § 6. (See 1937, 362 §§ 1-5, 7.)

SECT. 65A amended, 1936, 346 § 1. (See 1936, 346 § 2.)

SECT. 66 amended, 1934, 219. (See 1936, 346 § 2.)

SECT. 66A added, 1937, 392 (permitting the admission to state sanatoria and county tuberculosis hospitals, for purposes of diagnosis and observation, of certain patients with diseases of the lungs other than recognizable tuberculosis).

SECTS. 67A-67D added, under caption "CARE OF CERTAIN INFANTS PREMATURELY BORN", 1937, 332.

SECT. 69A amended, 1936, 337 § 1.

SECT. 69C amended, 1936, 337 § 2.

SECTS. 78-90 affected (as to district of Chelsea, Revere and Winthrop), 1934, 78.

SECT. 78. See 1935, 52.

SECT. 79 revised, 1936, 343.

SECT. 83A added, 1933, 318 § 6 (relative to the indemnification or protection of officers and employees of tuberculosis hospital districts in connection with actions for personal injuries arising out of the operation of vehicles owned by such districts); amended, 1934, 291 § 5. (See 1933, 318 § 9; 1934, 291 § 6.)

SECT. 85A revised, 1932, 65.

SECT. 109A added, 1936, 115 (relative to the treatment of infants' eyes at time of birth).

SECT. 110, second sentence amended, 1932, 180 § 17.

SECT. 116A added, under caption "CHRONIC RHEUMATISM", 1937, 393 (providing for the hospitalization of patients with chronic rheumatism).

SECT. 117 revised, 1935, 155; 1937, 391.

SECT. 118 amended, 1933, 44.

SECT. 127 revised, 1937, 339.

SECT. 141 revised, 1937, 278.

SECT. 143 revised, 1933, 269 § 2.

SECT. 154 amended, 1934, 340 § 9. (See 1934, 340 § 18.)

Chapter 112. — Registration of Certain Professions and Occupations.

SECT. 2, second sentence revised, 1933, 171 § 1, 1936, 247 § 1; three paragraphs added at end of section, 1936, 247 § 2. (See 1933, 171 § 2; 1936, 247 §§ 3-6.)

SECT. 5 revised, 1937, 425 § 12. (See 1937, 425 § 15.)

SECT. 9 revised, 1933, 152.

- SECT. 13 amended, 1937, 425 § 2. (See 1937, 425 § 15.)
SECT. 14 amended, 1937, 425 § 3. (See 1937, 425 § 15.)
SECT. 15 amended, 1937, 425 § 4. (See 1937, 425 § 15.)
SECT. 16 revised, 1937, 425 § 5. (See 1937, 425 § 15.)
SECT. 17 revised, 1937, 425 § 6. (See 1937, 425 § 15.)
SECT. 17A added, 1937, 425 § 7 (defining certain duties of the board of registration in chiropody (podiatry)). (See 1937, 425 § 15.)
SECT. 18 amended, 1937, 425 § 8. (See 1937, 425 § 15.)
SECT. 19 amended, 1937, 425 § 9. (See 1937, 425 § 15.)
SECT. 20 amended, 1937, 425 § 10. (See 1937, 425 § 15.)
SECT. 21 amended, 1937, 425 § 11. (See 1937, 425 § 15.)
SECT. 23 repealed, 1937, 425 § 13. (See 1937, 425 § 15.)
SECT. 24 amended, 1932, 227; 1933, 126; 1937, 343 § 1.
SECT. 27 revised, 1934, 328 § 2; amended, 1937, 343 § 2.
SECT. 30 amended, 1937, 343 § 3.
SECT. 32 amended, 1934, 328 § 3.
SECT. 34 amended, 1934, 328 § 4.
SECT. 35 amended, 1934, 328 § 5; 1935, 306; 1937, 343 § 4.
SECT. 36 revised, 1934, 328 § 6.
SECT. 38 revised, 1934, 236.
SECT. 40 amended, 1934, 328 § 6A; 1937, 343 § 5.
SECT. 42A added, 1937, 343 § 6 (relative to the retail drug business and pharmacy).
SECT. 45, second sentence amended, 1932, 180 § 18.
SECT. 46, clause Third amended, 1934, 108.
SECT. 50 amended, 1935, 344.
SECTS. 52A and 52B added, 1934, 281 (relative to methods and practices of dentists and dental hygienists).
SECT. 52A revised, 1937, 253.
SECT. 55 amended, 1937, 66.
SECTS. 66-73 stricken out, and new sections 66-73 inserted, 1934, 339 § 2.
SECT. 73A added, 1937, 287 § 1 (regulating advertising in connection with the sale of eyeglasses, lenses or eyeglass frames). (See 1937, 287 § 2.)
SECTS. 82-87, and caption before said section 82, stricken out, and new sections 82-87 inserted, under caption "REGISTRATION OF EMBALMERS AND FUNERAL DIRECTORS", 1936, 407 § 3. (See 1936, 407, §§ 5-8.)
SECT. 87 amended, 1937, 13.
SECTS. 87F-87S. See 1937, 184.
SECT. 87F, paragraph contained in lines 4-9 revised, 1934, 260 § 1.
SECT. 87H, four sentences added at end, 1934, 260 § 2; section amended, 1936, 314 § 1; second paragraph amended, 1937, 94.
SECT. 87I amended, 1936, 314 § 2.
SECT. 87K, paragraph added at end, 1936, 314 § 3.
SECT. 87M amended, 1936, 314 § 4.
SECT. 87O amended, 1933, 149 § 2. (See 1933, 149 § 3.)
SECT. 87P amended, 1934, 260 § 3.
SECT. 87R amended, 1936, 314 § 5.
SECTS. 87T-87JJ added, under caption "REGISTRATION OF HAIR DRESSERS", 1935, 428 § 2. (See 1935, 428 §§ 6, 7.)

- SECT. 87U amended, 1937, 385 § 2.
- SECT. 87V amended, 1937, 385 § 3.
- SECT. 87W amended, 1937, 385 § 4.
- SECT. 87Z amended, 1937, 385 § 5.
- SECT. 87BB amended, 1937, 385 § 6.
- SECT. 87EE revised, 1937, 385 § 7.
- SECT. 87II amended, 1937, 385 § 8.

Chapter 114. — Cemeteries and Burials.

- SECT. 1 amended, 1936, 319 § 1. (See 1936, 319 § 7.)
- SECT. 6 amended, 1936, 319 § 2. (See 1936, 319 § 7.)
- SECT. 7 revised, 1936, 319 § 3. (See 1936, 319 § 7.)
- SECT. 8 revised, 1936, 319 § 4. (See 1936, 319 § 7.)
- SECT. 9 amended, 1936, 319 § 5. (See 1936, 319 § 7.)
- SECT. 25 amended, 1934, 85 § 1. (See 1934, 85 § 2.)
- SECTS. 43A-43N added, under caption "MISCELLANEOUS PROVISIONS", 1936, 319 § 6 (relative to the ownership, maintenance and operation of cemeteries and crematories and to the disposal of dead human bodies). (See 1936, 319 § 7.)
- SECT. 49 revised, 1936, 407 § 4. (See 1936, 407 §§ 5-8.)

Chapter 115. — State and Military Aid, Soldiers' Relief, etc.

- SECT. 2A added, 1932, 113 (requiring the furnishing of information to the commissioner of state aid and pensions by certain banks and other depositories relative to certain deposits therein).
- SECT. 7 amended, 1937, 273 § 1.
- SECT. 12A added, 1933, 363 (making certain Massachusetts veterans receiving hospital treatment outside the commonwealth eligible to receive military aid).
- SECT. 15 amended, 1932, 106.
- SECT. 17, first paragraph amended, 1936, 77; paragraph added, 1932, 63.
- SECT. 18, sentence added at end of first paragraph, 1933, 323; paragraph added at end, 1932, 270.
- SECT. 19 amended, 1932, 250; 1934, 336 § 1; 1937, 273 § 2.
- SECT. 20 amended, 1932, 251; 1934, 336 § 2.

Chapter 116. — Settlement.

- SECT. 2 revised, 1933, 213.

Chapter 117. — Support by Cities and Towns.

- SECT. 1 amended, 1934, 124.
- SECT. 2A added, 1933, 181 (authorizing local boards of public welfare to aid needy persons in the cultivation of vegetable gardens).
- SECT. 3A added, 1937, 277 (protecting needy persons from the public view while applying for public relief and support).
- SECT. 5 amended, 1937, 125.
- SECT. 6 revised, 1936, 108.
- SECT. 14 revised, 1937, 113.
- SECT. 16 repealed, 1936, 328.

SECT. 18 amended, 1934, 45.

SECT. 19, paragraph added at end, 1937, 86.

SECT. 24 revised, 1935, 164.

SECT. 35 amended, 1932, 180 § 19.

Chapter 118. — Aid to Dependent Children (former title, Aid to Mothers with Dependent Children).

The following reference is to chapter 118, as appearing in the Tercentenary Edition:

SECT. 1 revised, 1935, 494 § 2. (See 1935, 494 § 1.)

Chapter stricken out and new chapter (with new title) inserted, 1936, 413 § 1. (See 1936, 413 § 2.)

Chapter 118A. — Adequate Assistance to Certain Aged Citizens.

For temporary provisions relative to old age assistance taxes and state reimbursement of cities and towns for old age assistance given by them, see 1932, 259 §§ 1, 2. (For prior legislation, see 1931, 398.)

The following references are to chapter 118A, as appearing in the Tercentenary Edition:

SECT. 1 amended, 1933, 219; revised, 1933, 328; amended, 1935, 494 § 3. (See 1934, 374 § 3 subsection 15; 1935, 494 § 1.)

SECT. 2A added, 1933, 285 (providing for appeals by persons aggrieved by failure of cities and towns to render old age assistance).

SECT. 3 revised, 1932, 259 § 3.

Chapter stricken out and new chapter 118A inserted, 1936, 436 § 1. (See 1936, 436 § 4.)

SECT. 1 amended, 1937, 440, § 1.

SECT. 2 revised, 1937, 440, § 2.

SECT. 3 revised, 1937, 440 § 3.

SECT. 6A added, 1937, 165 (permitting recipients of old age assistance, so called, to leave the commonwealth without suspension of such assistance).

Chapter 119. — Protection and Care of Children, and Proceedings against Them.

SECT. 12 revised, 1932, 180 § 20.

SECT. 63 revised, 1932, 95 § 1.

SECT. 65 amended, 1932, 95 § 2.

SECT. 74 amended, 1933, 196 § 1.

SECT. 75 amended, 1933, 196 § 2.

Chapter 120. — Massachusetts Training Schools.

SECT. 21, first sentence amended, 1932, 180 § 21.

Chapter 121. — Powers and Duties of the Department of Public Welfare, and the Massachusetts Hospital School.

SECT. 8A added, 1935, 311 § 2 (relative to funds received by the director of the division of aid and relief for the benefit of persons under the care and supervision of the department).

SECT. 9A added, 1934, 167 (relative to the interstate transportation of poor and indigent persons).

SECT. 23 (and caption) amended, 1933, 364 § 2; section amended, 1935, 449 § 2; revised, 1935, 475 § 3. (See 1933, 364 § 8.)

SECT. 24 amended, 1933, 364 § 3. (See 1933, 364 § 8.)

SECT. 24A added, 1935, 449 § 2A (authorizing the acceptance and use by the state board of housing of grants of federal funds).

SECT. 24B added, 1935, 485 § 1 (authorizing the state board of housing to take land by eminent domain in order to aid or co-operate with the United States with respect to federal housing projects).

SECT. 25 revised, 1933, 364 § 4. (See 1933, 364 § 8.)

SECT. 26 amended, 1933, 364 § 5; revised, 1935, 475 § 4; amended, 1936, 211 § 6. (See 1933, 364 § 8; 1936, 211 § 7.)

SECTS. 26A-26H added, 1933, 364 § 6 (relative to the powers and duties of the state board of housing, and to limited dividend corporations under its control.) (See 1933, 364 § 8.)

SECT. 26H revised, 1935, 449 § 3.

SECTS. 26I-26BB, under caption "HOUSING AUTHORITIES", added, 1935, 449 § 5 (relative to the establishment, powers and duties, and discontinuance, of local housing authorities).

SECT. 26Q, subsection (c) added, 1935, 485 § 2 (authorizing local housing authorities to take land by eminent domain in order to aid or co-operate with the United States with respect to federal housing projects).

SECT. 27 repealed, 1933, 364 § 7.

SECT. 42 amended, 1932, 180 § 22.

Chapter 122. — State Infirmary.

SECTS. 2B-2E added, 1936, 295 (relative to Patients' Funds at the state infirmary and the disposition of unclaimed property and moneys represented by bank books belonging to former patients).

SECT. 6 amended, 1933, 345.

SECT. 15 amended, 1936, 325.

SECT. 18 amended, 1936, 378.

Chapter 123. — Commitment and Care of the Insane and Other Mental Defectives.

For legislation relative to the establishment of the Norfolk state hospital for the care of the criminal insane, see 1935, 421.

SECT. 8A added, 1935, 301 (providing for co-operation between the departments of mental diseases and public works relative to roads at state hospitals).

SECT. 13 revised, 1936, 286.

SECT. 19 repealed, 1935, 163.

SECT. 25 amended, 1935, 314 § 3, 421 § 4. (See 1935, 421 § 6.)

SECT. 32 revised, 1933, 115.

SECT. 39, sentence added at end, 1936, 291 § 1.

SECT. 39A amended, 1936, 291 § 2.

SECT. 39B added, 1932, 204 (relative to the disposition of unclaimed belongings at certain state hospitals, known as "patients' valuables"); revised, 1936, 291 § 3.

SECT. 39C added, 1933, 256 (relative to the disposition of moneys represented by certain bank books belonging to former patients of certain state hospitals); revised, 1936, 291 § 4.

SECT. 50 revised, 1935, 314, § 4.

SECT. 52 amended, 1932, 85.

SECT. 77, first sentence amended, 1935, 314 § 5.

SECT. 78, first sentence revised, 1935, 314 § 6.

SECT. 79, first sentence revised, 1935, 314 § 7.

SECT. 86 amended, 1935, 314 § 8.

SECT. 90, first sentence amended, 1932, 180 § 23.

SECT. 102 revised, 1934, 15.

SECT. 105 revised, 1936, 130.

SECT. 110 amended, 1937, 136.

SECT. 117A added, 1936, 32 (providing in certain cases for the return to penal institutions of prisoners removed therefrom to departments for defective delinquents).

Chapter 124. — Powers and Duties of the Department of Correction.

SECT. 6 amended, 1936, 23 § 2.

SECT. 8 amended, 1935, 48 § 1. (See 1935, 48 § 2.)

Chapter 125. — Penal and Reformatory Institutions of the Commonwealth.

SECT. 4 amended, 1932, 282 § 3.

SECT. 10 revised, 1937, 20 § 1. (See 1937, 20 § 2.)

SECT. 11 amended, 1935, 437 § 1. (See 1935, 437 § 8.)

SECT. 13 amended, 1936, 276.

SECT. 30 amended, 1932, 180 § 24.

SECT. 49 revised, 1936, 125.

Chapter 126. — Jails, Houses of Correction and Reformation, and County Industrial Farms.

SECT. 16 revised, 1937, 219 § 6.

SECT. 37 amended, 1936, 228.

Chapter 127. — Officers and Inmates of Penal and Reformatory Institutions, Paroles and Pardons.

For legislation providing for the disposition of certain prisoners confined in the prison camp and hospital prior to its discontinuance, see 1935, 111.

SECT. 10 amended, 1936, 23 § 3.

SECT. 16, last sentence stricken out, 1933, 77 § 1.

SECT. 17 revised, 1933, 77 § 2.

SECT. 18 amended, 1933, 77 § 3.

SECT. 67A added, 1932, 252 § 1 (regulating the sale of prison made goods). (See 1932, 252 § 2.)

SECTS. 96A and 96B added, 1936, 383 (providing for the disposition of unclaimed money and property of former prisoners).

SECT. 109B added, 1935, 113 § 1 (relative to the transfer of certain prisoners from the Massachusetts Reformatory to the State Prison). (See 1935, 113 § 2.)

SECT. 111A added, 1933, 169 (relative to transfers of defective delinquents and drug addicts from one institution to another under the department of correction).

SECT. 129 revised, 1937, 399 § 2. (See 1937, 399 §§ 3-6.)

SECT. 133 revised, 1933, 134 § 1. (See 1933, 134 § 2.)

SECT. 146 revised, 1932, 221 § 1.

SECT. 151, last sentence amended, 1932, 180 § 25.

SECTS. 151A-151G added, under the heading "INTERSTATE SUPERVISION OF PROBATIONERS AND PAROLEES", 1937, 307 § 1 (providing for the entry of this commonwealth into compacts with any of the United States for mutual helpfulness in relation to persons convicted of crimes or offences who are on probation or parole). (See 1937, 307 § 2.)

SECT. 154A added, 1935, 225 (requiring consideration by the advisory board of pardons of the cases of certain life prisoners on the question of extending clemency).

Chapter 128. — Agriculture.

SECT. 2, paragraph (f) amended, 1937, 415 § 1; paragraph (g) added, 1933, 291 § 1.

SECT. 6 amended, 1933, 291 § 2.

SECT. 10 amended, 1934, 340 § 10. (See 1934, 340 § 18.)

SECT. 13 amended, 1934, 340 § 11. (See 1934, 340 § 18.)

SECT. 39 repealed, 1933, 74 § 2.

SECT. 42 revised, 1932, 166.

Chapter 128A. — Horse and Dog Racing Meetings.

New chapter inserted, 1934, 374 § 3.

SECT. 3, first paragraph revised, 1935, 454 § 2; clause (f) amended, 1935, 454 § 3; clause (h) amended, 1935, 454 § 4; clause (n) added, 1935, 239 (forbidding the licensed racing of horses and dogs under the pari-mutuel system of betting, on publicly owned premises); clause (n) added, 1935, 471 § 1 (forbidding the licensed racing of dogs under such system, in certain residential neighborhoods); designation of the clause added by 1935, 471 § 1 changed from (n) to (o), 1936, 405 § 3. (See 1935, 471 § 2.)

SECT. 5, first paragraph revised, 1935, 454 § 1; second and third paragraphs revised, 1936, 351.

SECT. 9, last paragraph revised, 1935, 454 § 5.

SECT. 9A added, 1935, 454 § 6 (relative to rules, regulations and conditions to be prescribed by the state racing commission).

SECT. 10 revised, 1936, 268.

SECT. 13 amended, 1935, 454 § 7.

SECT. 13A added, 1935, 454 § 8 (relative to the application of certain laws as to betting and certain local requirements as to race tracks and public amusements, in the case of racing meetings under this chapter). (See 1935, 471 § 2.)

SECT. 13B added, 1937, 322 (prohibiting and penalizing the use of drugs for the purpose of affecting the speed of horses at horse racing meetings).

SECT. 14 revised, 1935, 279 § 2; 1936, 253 § 2. (See 1935, 279 § 3; 1936, 253 § 1.)

SECT. 14A added, 1935, 279 § 1 (providing for the resubmission to the voters of the several counties of the question of licensing dog races at which the pari-mutuel system of betting shall be permitted); repealed, 1936, 253 § 1. (See 1935, 279 § 3; 1936, 253 § 1.)

SECT. 15 revised, 1936, 436 § 2. (See 1936, 436 § 4.)

Chapter 129. — Animal Industry.

SECT. 1 revised, 1934, 340 § 12; paragraph (defining "Domestic animals") added, 1935, 70. (See 1934, 340 § 18.)

SECT. 10 amended, 1934, 340 § 13. (See 1934, 340 § 18.)

SECT. 33 amended, 1934, 272.

SECT. 33B revised, 1934, 96.

SECT. 36A added, 1935, 426 (providing for the licensing of certain dealers in bovine animals).

SECT. 38 revised, 1934, 340 § 14. (See 1934, 340 § 18.)

Chapter 129A. — Marine Fish and Fisheries, Inland Fish and Fisheries, Birds and Mammals, General Provisions.

New chapter inserted, 1933, 329 § 1.

SECT. 1, definition of "warden" revised, 1937, 413 § 2. (See 1937, 413 §§ 3, 4.)

Chapter 130. — Marine Fish and Fisheries, including Crustacea and Shellfish (former title, Powers and Duties of the Division of Fisheries and Game. Fisheries).

Chapter stricken out, and new chapter 130 (with new title) inserted, 1933, 329 § 2.

The following reference is to chapter 130, as appearing in the Tercenary Edition:

SECT. 48A added, 1933, 118 (prohibiting the taking of certain herring or alewives from the waters of Plymouth harbor, Kingston bay, Duxbury bay and certain waters of Plymouth bay).

The following references are to the new chapter 130:

SECT. 3A added, 1935, 324 (providing for state aid to coastal cities and towns in conserving and increasing the supply of shellfish and in exterminating the enemies thereof).

SECT. 6B added, 1934, 115 § 1 (providing for the filing with the supervisor of marine fisheries of copies of rules and regulations made by cities and towns under the marine fisheries laws, and for notifying him of permits and licenses issued under said laws). (See 1934, 115 § 2.)

SECT. 23 amended, 1937, 168.

SECT. 41A added, 1937, 121 (prohibiting, during certain months of the year, the taking of edible crabs from the waters of the commonwealth).

SECT. 48, first paragraph amended, 1935, 110.

SECT. 73 amended, 1935, 117.

SECTS. 77, 78, 79 revised, 1937, 246.

SECT. 84A added, 1934, 129 (regulating the disposition of starfish caught in or taken from the coastal waters of the commonwealth).

Chapter 131. — Game and Inland Fisheries (former title, Powers and Duties of the Division of Fisheries and Game. Game and Inland Fisheries).

Title amended, 1933, 329 § 14.

SECTS. 1-4 repealed, 1933, 329 § 20.

SECT. 5 amended, 1932, 272 § 1; 1933, 214 § 1; 1937, 191 § 1.

SECT. 6 revised, 1932, 272 § 2.

SECT. 7 revised, 1932, 272 § 3.

SECT. 8 revised, 1932, 272 § 4; new paragraph added (summer three-day fishing license), 1934, 156.

SECT. 8A added, 1933, 214 § 2 (establishing special fox hunting licenses for non-resident members and guests of clubs or associations conducting fox hunts).

SECT. 8B added, 1937, 191 § 2 (authorizing the issuance to certain officials of certain other states of complimentary certificates entitling them to hunt and fish in this commonwealth).

SECTS. 9-11 repealed, 1933, 329 § 20.

SECT. 12 amended, 1932, 272 § 5; revised, 1933, 214 § 3.

SECT. 13 revised, 1933, 329 § 15.

SECTS. 14-24 repealed, 1933, 329 § 20.

SECT. 24A added, 1932, 78 (relative to the establishment in certain brooks and streams of breeding areas for fish).

SECT. 25, paragraph added at end, 1934, 33.

SECTS. 27-34 repealed, 1933, 329 § 20.

SECT. 42 repealed, 1933, 329 § 20.

SECT. 43A added, 1936, 294 (relative to fishing in ponds situated partly in the commonwealth and partly in another state).

SECT. 44 revised, 1933, 329 § 16.

SECT. 45, sentence added at end, 1932, 77.

SECT. 48 revised, 1936, 69.

SECT. 49 amended, 1933, 329 § 17.

SECT. 49A added, 1937, 123 (establishing a close season for fish with respect to which no close season is otherwise established by law).

SECTS. 52-55 repealed, 1933, 329 § 20.

SECT. 56 amended, 1934, 51.

SECT. 57 amended, 1934, 149; 1936, 425 § 1; 1937, 116.

SECT. 59 revised, 1936, 425 § 2; 1937, 269.

SECT. 61A added, 1933, 329 § 18 (regulating the taking of smelt in great ponds).

SECT. 66 amended, 1934, 40.

SECT. 68 revised, 1935, 120.

SECT. 73A added, 1935, 98 (authorizing the use of certain traps for the purpose of catching fish bait in the inland waters of the commonwealth).

SECT. 74 revised, 1932, 272 § 6.

SECT. 77 revised, 1933, 154.

SECT. 83 revised, 1935, 107.

SECT. 85 amended, 1932, 28; 1935, 13; 1937, 167.

SECT. 86A added, 1932, 60 (authorizing the director of fisheries and game to suspend or modify the open season or bag limit as to ruffed grouse and quail).

SECT. 87A added, 1933, 122 (relative to the taking or killing of waterfowl and other migratory birds in certain cases).

SECT. 92 amended, 1932, 52.

SECT. 94 amended, 1934, 183; 1937, 172; revised 1937, 316.

SECT. 97 revised, 1934, 70; amended, 1936, 13.

SECT. 99 amended, 1932, 180 § 26.

SECT. 100A added, 1932, 82 (prohibiting the hunting of beavers).

SECT. 104 revised, 1933, 192 § 1; 1937, 324.

SECT. 105A revised, 1933, 203; repealed, 1934, 275 § 2.

SECTS. 105B and 105C added, 1934, 275 § 1 (regulating the use of traps and other devices for the capture of fur-bearing animals and providing for local option thereon). (See 1934, 275 § 4.)

SECT. 109 revised, 1932, 264; 1933, 192 § 2; amended, 1935, 5 § 1; 1936, 21 § 1, 138 § 1; 1937, 89 § 1, 243 § 1.

SECT. 112 revised, 1933, 192 § 3; amended, 1935, 5 § 2; 1936, 21 § 2, 138 § 2; 1937, 243 § 2.

SECT. 114 revised, 1937, 89 § 2; last paragraph amended, 1937, 372 § 1.

SECT. 114A added, 1934, 275 § 3 (authorizing the commissioner of conservation to temporarily suspend, within certain specified territory, the provisions of section 105B).

SECT. 124 amended, 1937, 229.

SECT. 135 revised, 1932, 81, 272 § 7.

SECT. 137 added, 1933, 329 § 19 (relative to the protection of salmon fry in the Merrimack river).

Chapter 132. — Forestry.

SECT. 1 amended, 1937, 415 § 2.

SECT. 5 repealed, 1932, 180 § 27.

SECT. 11 revised, 1937, 415 § 3.

SECT. 12 amended, 1937, 415 § 4.

SECT. 13 revised, 1935, 87; amended, 1937, 415 § 5.

SECT. 14 revised, 1937, 415 § 6.

SECT. 17 amended, 1937, 415 § 6A.

SECT. 18 amended, 1937, 415 § 6B.

SECT. 22 amended, 1937, 415 § 7.

SECT. 25 revised, 1937, 415 § 8.

SECT. 26 amended, 1937, 415 § 9.

SECT. 27 amended, 1937, 415 § 10.

SECT. 28 amended, 1937, 415 § 11.

SECT. 33 amended, 1935, 373; 1936, 415 § 1. (See 1936, 415 § 3.)

SECT. 34, new paragraph added at end, 1935, 233.

SECT. 36 revised, 1936, 415 § 2. (See 1936, 415 § 3.)

Chapter 132A. — State Parks and Reservations Outside of the Metropolitan Parks District.

SECT. 9 amended, 1933, 75 § 4.

Chapter 136. — Observance of the Lord's Day.

SECT. 2 amended, 1933, 150 § 1; 1934, 63; 1935, 78.

SECT. 4A added, 1933, 150 § 2 (relative to the licensing of certain enterprises to be held on the Lord's day at amusement parks and beach resorts); revised, 1933, 309 § 1. (See 1933, 309 § 2.)

SECT. 6, second and third paragraphs amended, 1934, 328 § 7; fourth paragraph amended, 1932, 96, 1934, 354; paragraph added at end, 1933, 150 § 3; section revised, 1934, 373 § 6; third paragraph amended, 1936, 129, 1937, 286.

SECT. 7 amended, 1934, 328 § 8; revised, 1934, 373 § 7.

SECT. 8 amended, 1937, 124.

SECT. 13 amended, 1932, 105.

SECT. 17, sentence added at end, 1933, 150 § 4; section amended, 1934, 55.

SECT. 21 revised, 1935, 104, 169.

SECT. 22. See 1933, 136; 1935, 49.

Chapter 138. — Alcoholic Liquors (Old Title, Intoxicating Liquors and Certain Non-Intoxicating Beverages).

Beer bill, so called, 1933, 120 (amended by 1933, 216; 234; 346). (See also 1933, Res. 47.)

Act providing for a convention to act upon a proposed amendment to the constitution of the United States relative to the repeal of the eighteenth amendment, 1933, 132.

The following references are to chapter 138, as appearing in the Tercenary Edition:

SECT. 1, paragraph in lines 4-7 amended, 1933, 97 § 1. (See 1933, 97 § 3, 346 § 9.)

SECT. 2 affected, 1933, 120 § 53.

SECT. 3 amended, 1933, 97 § 2. (See 1933, 97 § 3, 346 § 9.)

Chapter stricken out, and new chapter 138 inserted, 1933, 376 § 2.

The following references are to the new chapter 138:

SECT. 1, new paragraph (definition of "Alcohol") added, 1935, 440 § 1; definition of "Restaurant" amended, 1936, 368 § 1; eighth paragraph (definition of "Club"), revised, 1934, 385 § 1; definition of "Tavern" amended, 1934, 121 § 1, 1935, 253 § 1.

SECT. 2 revised, 1934, 305, 372 § 4; 1935, 440 § 2.

SECT. 3 amended, 1935, 440 § 3.

SECT. 4 amended, 1934, 385 § 2.

SECT. 7 amended, 1935, 440 § 4.

SECT. 10 amended, 1935, 440 § 5.

SECT. 10B added, 1934, 370 § 11 (authorizing the alcoholic beverages control commission to remove a member of a local licensing board under certain conditions).

SECT. 11 revised, 1936, 207 § 1. (See 1935, 281.)

SECT. 11A, first paragraph amended, 1934, 142 § 1; paragraph inserted, 1934, 142 § 2; paragraph added at end, 1934, 142 § 3; section revised, 1934, 211 § 1; last paragraph stricken out, 1935, 440 § 6. (See 1934, 142 § 4, 211 § 2.)

SECT. 12, first paragraph amended, 1934, 121 § 2; last sentence of first paragraph revised, 1934, 370 § 1; second paragraph amended, 1934, 121 § 2; sentence contained in lines 42-53 revised, 1934, 370 § 2; section revised, 1934, 385 § 3; first paragraph amended, 1935, 253 § 2; revised, 1935, 440 § 7; new paragraph inserted after first paragraph, 1935, 253 § 3; proviso contained in lines 46-48 stricken out, 1935, 253 § 4; third paragraph revised, 1935, 440 § 8; next to last paragraph stricken out, 1935, 440 § 9; section revised, 1935, 468 § 1; first paragraph amended, 1936, 207 § 2, 1937, 331; second paragraph revised, 1936, 368 § 2; paragraph added at end, 1937, 264.

SECT. 13, last two sentences stricken out, 1934, 385 § 4; section revised, 1935, 440 § 10.

SECT. 14 amended, 1934, 370 § 3; paragraph added at end, 1935, 440 § 11.

SECT. 15, first paragraph amended, 1934, 385 § 5, revised, 1935, 440 § 12; last paragraph revised, 1934, 370 § 4; last sentence revised, 1936, 225 § 1.

SECT. 15A added, 1934, 370 § 5 (relative to the publication of applications for original licenses); revised, 1935, 440 § 13.

SECT. 16 revised, 1936, 368 § 3.

SECT. 16A revised, 1934, 385 § 6; 1937, 424 § 1.

SECT. 16B revised, 1935, 440 § 14; paragraph added at end, 1937, 291; section revised, 1937, 424 § 2.

SECT. 17, second proviso of first paragraph amended, 1934, 385 § 7; first paragraph amended, 1935, 81; last paragraph revised, 1934, 83; section revised, 1935, 440 § 15; first paragraph amended, 1936, 136 and 245, 1937, 14 § 1; second paragraph revised, 1936, 199; paragraph added after the second paragraph, 1936, 368 § 4; section revised, 1937, 424 § 3. (See 1937, 14 § 2.)

SECT. 18, first paragraph revised, 1935, 440 § 16; two paragraphs added, 1934, 385 § 8.

SECT. 18A added, under caption "SELLING AGENTS OF FOREIGN IMPORTERS AND MANUFACTURERS", 1934, 312; first paragraph revised, 1935, 440 § 17.

SECT. 19, first paragraph revised, 1935, 440 § 18; second paragraph amended, 1934, 385 § 9; last paragraph amended, 1934, 385 § 10, 1935, 440 § 19; paragraph added at end, 1936, 368 § 5.

SECT. 19A added, 1934, 385 § 11 (relative to the licensing of salesmen for manufacturers and for wholesalers and importers); revised, 1935, 440 § 20.

SECT. 20 revised, 1934, 385 § 12; first paragraph amended, 1936, 368 § 6; paragraph inserted, 1936, 368 § 7.

SECT. 20A added, 1937, 424 § 4 (relative to granting permits to public warehousemen to store and warehouse alcoholic beverages).

SECT. 21 revised, 1934, 385 § 13; first paragraph amended, 1935, 440 § 21; first six paragraphs revised, 1936, 411 § 1; next to the last paragraph amended, 1936, 368 § 8. (See 1936, 411 § 2.)

SECT. 22 revised, 1934, 385 § 14; 1935, 440 § 22; fourth and fifth paragraphs stricken out and new paragraph inserted, 1937, 418.

SECT. 22A added, 1934, 385 § 15 (providing for the granting by the alcoholic beverages control commission in certain cases of permits to sell alcoholic beverages).

SECT. 23, sentence added at end of fourth paragraph, 1934, 370 § 6; last paragraph amended, 1934, 245; section revised, 1934, 385 § 16; fifth paragraph amended, 1935, 253 § 5; last four paragraphs stricken out, and five new paragraphs inserted, 1935, 440 § 23.

SECT. 24, first sentence amended, 1934, 232.

SECT. 26, first paragraph amended, 1935, 440, § 24.

SECT. 27 revised, 1934, 301 § 1; amended, 1934, 385 § 23; revised, 1935, 442; amended, 1936, 436 § 3; revised, 1936, 438. (See 1936, 436 § 4.)

SECT. 28 amended, 1934, 112.

SECT. 29 revised, 1935, 440, § 25.

SECT. 30 amended, 1935, 83 § 1. (See 1935, 83 § 2.)

SECT. 30A revised, 1934, 370 § 7; 1935, 440 § 26.

SECT. 30B amended, 1935, 440 § 27; paragraph added at end, 1936, 368 § 9.

SECT. 30D amended, 1935, 440 § 28.

SECT. 30E, first paragraph amended, 1935, 440 § 29.

SECT. 30F revised, 1935, 440 § 30.

SECT. 30G amended, 1935, 440 § 31.

SECT. 30H added, 1935, 440 § 32 (possession or transportation of alcoholic beverages or alcohol under certain circumstances deemed prima facie evidence of violation of law).

SECT. 31 amended, 1935, 440 § 33; revised, 1936, 368 § 10.

SECT. 32 amended, 1934, 370 § 8.

SECT. 33 revised, 1934, 370 § 9; amended, 1935, 468 § 2; last sentence revised, 1936, 225 § 2; section amended, 1937, 268.

SECT. 34 amended, 1935, 440 § 34; revised, 1936, 171; 1937, 424 § 5.

SECT. 34A added, 1935, 146 (relative to procuring by false representation sales or delivery of alcoholic beverages to minors); revised, 1935, 440 § 35.

SECT. 36 amended, 1934, 385 § 17.

SECT. 37 revised, 1934, 385 § 18.

SECTS. 42-55 affected, 1935, 440 § 36.

SECT. 42, paragraph added at end, 1935, 440 § 36.

SECT. 46 amended, 1934, 370 § 10; 1935, 440 § 37.

SECT. 56 revised, 1935, 440 § 38; 1936, 368 § 11.

SECT. 57 revised, 1936, 368 § 12.

SECT. 62 amended, 1935, 440 § 39.

SECT. 63, first sentence revised, 1934, 385 § 19; section revised, 1935, 440 § 40; 1936, 368 § 13.

SECT. 63A revised, 1935, 440 § 41.

SECT. 64 revised, 1934, 385 § 20.

SECT. 67 amended, 1934, 385 § 21; revised, 1935, 440 § 42.

SECT. 70 revised, 1934, 301 § 2.

SECTS. 72-75 repealed, 1934, 372 § 1.

SECT. 76 revised, 1934, 372 § 2; next to last sentence revised, 1934, 385 § 22; section revised, 1935, 440 § 43.

Chapter 139. — Common Nuisances.

SECT. 14, caption amended, 1934, 328 § 9; section amended, 1934, 328 § 10.

SECT. 16 amended, 1934, 328 § 11.

SECT. 16A amended, 1934, 328 § 12.

SECT. 17 repealed, 1934, 328 § 13.

SECT. 19 amended, 1934, 328 § 14.

SECT. 20 amended, 1934, 328 § 15.

Chapter 140. — Licenses.

SECT. 4 amended, 1934, 171 § 1.

SECT. 6 amended, 1937, 424 § 6.

SECT. 6A added, 1937, 424 § 7 (providing for the granting of common victuallers' licenses and licenses to sell alcoholic beverages upon condition that licensed premises are equipped and furnished according to plans and estimates approved in advance).

SECT. 8 amended, 1936, 368 § 14.

SECT. 10 amended, 1935, 167.

SECT. 12 revised, 1932, 86; 1933, 92.

SECTS. 21E and 21F added, under caption "ORGANIZATIONS DISPENSING FOOD OR BEVERAGES TO MEMBERS AND GUESTS", 1933, 284 (providing for the regulation of such organizations).

SECT. 21E, last sentence revised, 1934, 328 § 16; affected, 1934, 328 § 17.

SECT. 48 repealed, 1937, 342 § 2.

SECT. 51 amended, 1932, 275; 1935, 428 § 3; 1936, 55 § 1. (See 1935, 428 §§ 6, 7; 1936, 55 § 2.)

SECT. 52 amended, 1935, 428 § 4. (See 1935, 428 § 7.)

SECT. 59 amended, 1934, 254 § 1. (See 1934, 254 § 2.)

SECT. 90, three sentences added at end, 1934, 179 § 1.

SECT. 96, sentence added at end, 1934, 179 § 2.

SECT. 121 amended, 1934, 359 § 1.

SECT. 131 revised, 1936, 302.

SECT. 131C added, 1934, 246 (prohibiting persons licensed to carry pistols and revolvers from carrying the same in vehicles unless said weapons are under their control therein).

SECT. 136A, under caption "DOGS", added, 1934, 320 § 1 (definitions of certain words and phrases in sections 137-175). (See 1934, 320 § 34.)

SECT. 137 amended, 1932, 289 § 1; revised (and caption stricken out) 1934, 320 § 2. (See 1934, 320 § 34.)

SECTS. 137A-137C added, 1934, 320 § 3 (relative to kennel licenses and regulating holders of such licenses). (See 1934, 320 § 34.)

SECT. 137A, paragraph added at end, 1937, 95.

SECT. 138 revised, 1934, 320 § 4. (See 1934, 320 § 34.)

SECT. 139 amended, 1934, 320 § 5. (See 1934, 320 § 34.)

SECT. 140 repealed, 1934, 320 § 6. (See 1934, 320 § 34.)

SECT. 141 revised, 1934, 320 § 7. (See 1934, 320 § 34.)

SECTS. 142-144 repealed, 1934, 320 § 8. (See 1934, 320 § 34.)

SECT. 145 amended, 1932, 289 § 2.

SECT. 145A added, 1932, 289 § 3 (relative to the furnishing of anti-rabic vaccine); revised, 1934, 320 § 9, 1937, 375. (See 1934, 320 § 34.)

SECT. 146 revised, 1934, 320 § 10. (See 1934, 320 § 34.)

SECT. 147 revised, 1932, 289 § 4; 1934, 320 § 11. (See 1934, 320 § 34.)

SECT. 148 repealed, 1932, 289 § 6. (See G. L. chapter 41 § 13A, inserted by 1932, 289 § 5.)

SECT. 150 revised, 1934, 320 § 12. (See 1934, 320 § 34.)

SECT. 151 revised, 1934, 320 § 13. (See 1934, 320 § 34.)

SECT. 151A added, 1934, 320 § 14 (powers and duties of dog officers under annual warrants from mayors or selectmen). (See 1934, 320 § 34.)

SECT. 152 revised, 1934, 320 § 15. (See 1934, 320 § 34.)

SECT. 153 revised, 1934, 320 § 16. (See 1934, 320 § 34.)

SECT. 154 repealed, 1934, 320 § 17. (See 1934, 320 § 34.)

SECT. 155 revised, 1934, 320 § 18. (See 1934, 320 § 34.)

SECT. 156 revised, 1934, 320 § 19. (See 1934, 320 § 34.)

SECT. 157 revised, 1934, 320 § 20. (See 1934, 320 § 34.)

SECT. 158 revised, 1934, 320 § 21. (See 1934, 320 § 34.)

SECT. 159 revised, 1934, 320 § 22. (See 1934, 320 § 34.)

SECT. 160 revised, 1934, 320 § 23. (See 1934, 320 § 34.)

SECT. 161, first two sentences amended, 1932, 289 § 7; section amended, 1934, 320 § 24. (See 1934, 320 § 34.)

SECT. 161A added, 1934, 320 § 25 (reimbursement for damages by dogs regulated). (See 1934, 320 § 34.)

SECT. 162 revised, 1934, 320 § 26. (See 1934, 320 § 34.)

SECT. 163 amended, 1934, 320 § 27. (See 1934, 320 § 34.)

SECT. 164 amended, 1934, 320 § 28. (See 1934, 320 § 34.)

SECT. 165 revised, 1934, 320 § 29. (See 1934, 320 § 34.)

SECT. 166 amended, 1934, 320 § 30. (See 1934, 320 § 34.)

SECT. 170 amended, 1934, 320 § 31. (See 1934, 320 § 34.)

SECT. 171 revised, 1934, 320 § 32. (See 1934, 320 § 34.)

SECT. 172 revised, 1932, 289 § 8.

SECT. 175 revised, 1932, 289 § 9; 1934, 320 § 33. (See 1934, 320 § 34.)

SECTS. 180A-180D added, under caption "THEATRICAL BOOKING AGENTS, PERSONAL AGENTS AND MANAGERS", 1935, 378 (providing for the licensing and bonding of certain theatrical booking agents, personal agents and managers).

SECT. 181. Affected by 1935, 454 § 8.

SECT. 183A amended, 1935, 102 § 1; 1936, 71 § 1. (See 1935, 102 § 2.)

SECT. 183B repealed, 1936, 71 § 2.

SECT. 184 amended, 1934, 328 § 18.

SECT. 185A amended, 1936, 279.

SECT. 186 amended, 1936, 169 § 1.

SECT. 187 amended, 1936, 169 § 2.

SECT. 202 revised, 1936, 169 § 3.

Chapter 141. — Supervision of Electricians.

SECT. 3, clause (4) amended, 1934, 347 § 1.

Chapter 142. — Supervision of Plumbing.

SECT. 6 revised, 1934, 347 § 2.

SECT. 13 amended, 1934, 284.

SECT. 17 revised, 1936, 234.

Chapter 145. — Tenement Houses in Towns.

SECT. 17A added, 1934, 168 (relative to the erection of garages in the yards of certain tenement houses).

Chapter 146. — Inspection of Boilers, Air Tanks, etc., Licenses of Engineers, Firemen, and Operators of Hoisting Machinery.

SECT. 16 revised, 1932, 180 § 28.

SECT. 50 amended, 1935, 67.

Chapter 147. — State and Other Police, and Certain Powers and Duties of the Department of Public Safety.

SECT. 10 amended, 1934, 23.

SECT. 16A added, 1937, 85 § 1 (providing for one day off in every seven days for police officers in certain cities and towns).

SECT. 17 amended, 1937, 85 § 2.

SECTS. 25A-25C added, 1937, 437 § 1 (relative to promoting peaceful industrial relations by regulating certain forms of private police and detective activity in labor disputes and related matters).

SECT. 26 amended, 1937, 437 § 2.

SECT. 30 revised, 1937, 437 § 3.

SECT. 32 revised, 1935, 262 § 1.

SECT. 33 amended, 1935, 262 § 2.

SECT. 35 revised, 1934, 69.

SECT. 36 revised, 1932, 79.

Chapter 148. — Fire Prevention.

SECT. 1, definition of "local licensing authority" amended, 1932, 102.

SECT. 10A added, 1932, 75 (relative to the granting of certain permits and the making of certain inspections by municipal officers designated by the state fire marshal).

SECT. 13, first paragraph amended, 1932, 22 § 1; section amended, 1935, 123 § 1; revised, 1936, 394 § 1. (See 1932, 22 § 2; 1936, 394, §§ 2, 3.)

SECT. 18 repealed, 1934, 182 § 2.

SECT. 23 amended, 1935, 123 § 2.

SECT. 27A added, 1932, 283 (relative to the protection of life and property from fire hazards incident to the present industrial emergency).

SECT. 49A added, 1934, 182 § 1 (relative to the inspection of kerosene or any product thereof kept for sale for illuminating, heating or cooking purposes).

Chapter 149. — Labor and Industries.

For legislation relative to interstate compacts affecting labor and industry, see 1933, Res. 44; 1934, 383, Res. 25; 1935, 315 §§ 1-3; 1936, Res. 68; 1937, 404.

For legislation to diminish the causes of labor disputes burdening or obstructing industry, and to create a labor relations commission, and for other purposes, see 1937, 436.

SECT. 1, paragraph defining "discrimination" inserted, 1937, 367 § 1; paragraph defining "mercantile establishments" amended, 1936, 78.

SECT. 6 amended, 1934, 132 § 1; 1937, 249. (See 1934, 132 § 2.)

SECT. 11 amended, 1935, 328.

SECT. 20A added, 1933, 351 § 1 (relative to the judicial enforcement of certain contracts relative to membership in labor or employers' organizations). (See 1933, 351 § 2.)

SECTS. 20B and 20C added, 1935, 407 § 1 (regulating the liability of labor unions and others involved in labor disputes, and defining labor disputes and other terms used in connection therewith). (See 1935, 407 § 6.)

SECT. 20C. See 1937, 436 § 10.

SECT. 23 amended, 1935, 114.

SECT. 23A added, 1934, 233 (regulating the employment of armed guards in connection with strikes, lockouts and other labor troubles).

SECT. 24 amended, 1933, 272.

SECTS. 24A-24J added, under the caption "DISCRIMINATION AGAINST CERTAIN PERSONS IN EMPLOYMENT ON ACCOUNT OF AGE", 1937, 367 § 2.

SECTS. 26 and 27 stricken out, and new sections 26-27D added, 1935, 461 (relative to preference and minimum wages of veterans and others in certain employments on certain public works).

SECT. 26, paragraph added at end, 1937, 346.

SECT. 29 amended, 1935, 217 § 2; revised, 1935, 472 § 2.

SECT. 30 revised, 1936, 367 § 1.

SECT. 34 amended, 1936, 367 § 2.

SECT. 39 revised, 1935, 444 § 1. (See 1935, 444 § 2.)

SECT. 48 revised, 1935, 185, 423 § 3.

SECT. 49 amended, 1937, 221.

SECT. 50 revised, 1933, 225; amended, 1935, 423 § 1.

SECT. 50A added, 1935, 423 § 2 (making one day's rest in seven law applicable to watchmen and employees maintaining fires in certain establishments).

SECT. 56 amended, 1932, 110 § 1; revised, 1935, 200.

SECT. 57 amended, 1932, 110 § 2.

SECT. 59 amended, 1933, 193 § 1; 1936, 170 § 1. (For temporary act, authorizing the commissioner of labor and industries to suspend certain provisions relative to the hours of employment of women in the textile and leather industries, see 1933, 347; time for suspension as to the textile industry extended, 1935, 429; 1936, 154; 1937, 153.)

SECT. 60 revised, 1935, 203.

SECT. 62, clause (13) amended, 1934, 328 § 19.

SECT. 66 amended, 1933, 193 § 2; 1936, 170 § 2.

SECTS. 69-73. See 1934, 114.

SECT. 78 amended, 1934, 292 § 1.

SECT. 84 amended, 1932, 180 § 29.

SECT. 104 amended, 1932, 27.

SECT. 113 revised, 1934, 255.

SECT. 117 revised, 1935, 208.

SECT. 135 amended, 1933, 64.

SECTS. 142A-142F added, under caption "BENZOL AND MIXTURES CONTAINING BENZOL", 1933, 304 (regulating the sale, distribution, storage and use of benzol and its compounds).

SECT. 142A amended, 1935, 463 § 1.

SECT. 142B revised, 1935, 463 § 2.

SECTS. 143-147A, and the heading above section 143, stricken out, and new sections 143-147H inserted, under the heading "INDUSTRIAL HOMEWORK", 1937, 429.

SECT. 147A added, 1932, 234 (requiring the furnishing of certain information to the department of labor and industries with respect to the performance of certain industrial work in tenements and dwelling houses); section stricken out and new section inserted, 1937, 429.

SECT. 148, last sentence amended, 1932, 101 § 1; section revised, 1935, 350; 1936, 160.

SECT. 150, sentence added at end, 1932, 101 § 2.

SECT. 156 amended, 1935, 363 § 1. (See 1935, 363 § 2.)

SECT. 157A added, 1933, 268 (insuring to piece or job workers in factories and workshops information relative to their compensation).

SECT. 159A added, 1937, 342 § 1 (to prevent the misleading of patrons

of certain places as to the beneficiaries of tips given to hat-check and cigarette girls and the like).

SECT. 178A added, 1932, 175 (authorizing the payment of small amounts of wages or salary of intestate employees to certain next of kin without administration).

Chapter 151. — Minimum Fair Wages for Women and Minors (former title, The Minimum Wage).

The following references are to chapter 151, as appearing in the Tercenary Edition:

SECT. 8 amended, 1933, 110.

SECTS. 11A–11D added, 1933, 220 § 1 (relative to the more effective enforcement of decrees of the minimum wage commission). (See 1933, 220 § 2.)

Chapter stricken out, and new chapter 151 inserted, 1934, 308 § 1. (See 1934, 308 §§ 2, 3; 1935, 267. See also 1933, Res. 44; 1934, 383, Res. 25.)

The following references are to chapter 151, as inserted by 1934, 308 § 1:

SECT. 1 revised, 1936, 430 § 1. (See 1936, 430 §§ 18–22.)

SECT. 2 revised, 1936, 430 § 2. (See 1936, 430 §§ 18–22.)

SECT. 3 amended, 1936, 430 § 3. (See 1936, 430 §§ 18–22.)

SECT. 4 revised, 1936, 430 § 4. (See 1936, 430 §§ 18–22.)

SECT. 7 revised, 1936, 430 § 5. (See 1936, 430 §§ 18–22.)

SECT. 10 revised, 1936, 430 § 6. (See 1936, 430 §§ 18–22.)

SECT. 12 revised, 1936, 430 § 7. (See 1936, 430 §§ 18–22.)

SECT. 13 amended, 1936, 175; revised, 1936, 430 § 8. (See 1936, 430 §§ 18–22.)

SECT. 14 revised, 1936, 430 § 9. (See 1936, 430 §§ 18–22.)

SECT. 15 revised, 1936, 430 § 10. (See 1936, 430 §§ 18–22.)

SECT. 16 amended, 1936, 430 § 11. (See 1936, 430 §§ 18–22.)

SECT. 17 amended, 1936, 430 § 12. (See 1936, 430 §§ 18–22.)

SECT. 20 amended, 1936, 430 § 13. (See 1936, 430 §§ 18–22.)

SECT. 21 revised, 1936, 430 § 14. (See 1936, 430 §§ 18–22.)

SECT. 22 revised, 1936, 430 § 15. (See 1936, 430 §§ 18–22.)

SECT. 23 amended, 1936, 430 § 16. (See 1936, 430 §§ 18–22.)

SECT. 24 revised, 1936, 430 § 17. (See 1936, 430 §§ 18–22.)

Chapter stricken out, and new chapter 151 (with new title) inserted, 1937, 401 § 1. (See 1937, 401 §§ 2, 3.)

Chapter 151A. — Unemployment Compensation.

New chapter inserted, 1935, 479 § 5. (See 1935, 479 §§ 6, 7; 1936, 12 § 3, 249 § 16.)

The following references are to chapter 151A, as inserted by 1935, 479 § 5.

SECT. 1, clauses (1) to (9), inclusive, of paragraph (a) revised, 1936, 249 § 1; paragraph (b) amended, 1936, 249 § 2; paragraph (k) amended, 1936, 249 § 3; paragraph (m) amended, 1936, 249 § 4; paragraph (n) revised, 1936, 249 § 5.

SECT. 3 revised, 1936, 249 § 6.

SECT. 4 revised, 1936, 249 § 7.

SECT. 7, paragraph added at end, 1936, 249 § 8.

SECT. 7A added, 1936, 249 § 9 (relative to refunding of over-payments or collection of under-payments of contributions).

SECT. 10 amended, 1936, 249 § 10.

SECT. 12 amended, 1936, 12 § 1.

SECT. 17, paragraph (a) amended, 1936, 249 § 11.

SECT. 18, paragraph (a) amended, 1936, 249 § 12.

SECT. 19, paragraph defining "suitable employment," clause numbered (2), revised, 1936, 12 § 2.

SECT. 20 amended, 1936, 249 § 13.

SECT. 24, second paragraph stricken out, 1936, 249 § 14.

SECT. 48 amended, 1936, 249 § 15.

Chapter stricken out, and new chapter 151A (with same title) inserted, 1937, 421 § 1. (See 1937, 421 §§ 2-4.)

Chapter 152. — Workmen's Compensation.

For legislation requiring manufacturers to insure under the workmen's compensation act where employees work on machinery, see 1936, 426.

SECT. 1, two sentences added at end of paragraph (1), 1935, 332 § 1; paragraph (4) revised, 1935, 406.

SECT. 9B added, 1935, 424 (providing for the reference of certain cases under the workmen's compensation law to industrial disease referees).

SECT. 11 amended, 1932, 129 § 1; paragraph added at end, 1935, 484.

SECT. 12, last paragraph amended, 1932, 117 § 1. (See 1932, 117 § 2; 1935, 351.)

SECT. 13, sentence added at end, 1933, 68.

SECT. 15A amended, 1934, 252.

SECT. 19, paragraph in lines 17 and 18 revised, 1935, 339.

SECT. 19A added, 1935, 359 (requiring certain notices from employers not insured under the workmen's compensation law).

SECT. 20 revised, 1935, 340.

SECT. 26 amended, 1937, 370 § 1.

SECT. 26A added, 1937, 370 § 2 (providing for payment of workmen's compensation in certain cases of suicide).

SECT. 27 revised, 1935, 331.

SECT. 28 amended, 1934, 292 § 2.

SECT. 29 revised, 1935, 372; 1937, 382.

SECT. 30 revised, 1936, 164.

SECT. 31, first paragraph amended, 1934, 250; paragraph contained in the seventh to the forty-fourth lines revised, 1937, 325.

SECT. 32, new paragraph added, 1935, 361 (relative to payments under the workmen's compensation law to dependents of deceased minor employees).

SECT. 34 revised, 1935, 332 § 2.

SECT. 34A added, 1935, 364 (providing for payments for total and permanent disability under the workmen's compensation law, and establishing methods of determining the same).

SECT. 36, paragraph (j) revised, 1933, 257; section revised, 1935, 333.

SECT. 37 amended, 1937, 321.

SECT. 39 amended, 1937, 317.

SECT. 54A added, 1935, 425 (relative to safeguarding and extending the workmen's compensation law by making void certain contracts or agreements in the nature of insurance which do not insure the payment of the compensation provided for by said law).

SECT. 55, second paragraph revised, 1934, 137 § 1.

SECT. 65 amended, 1935, 395; 1936, 162; 1937, 394.

SECT. 69 revised, 1933, 318 § 7; 1936, 260; amended, 1936, 403.

SECT. 69A added, 1933, 315 (regulating workmen's compensation payments by the commonwealth).

SECT. 69B added, 1936, 427 (further regulating workmen's compensation payments by the commonwealth).

SECT. 73, first sentence amended, 1936, 318 § 4, 1937, 336 § 23.

SECT. 75 revised, 1932, 19.

Chapter 153. — Liability of Employers to Employees for Injuries not resulting in Death.

SECT. 6 amended, 1935, 387.

Chapter 154. — Assignment of Wages.

SECT. 8 added, 1933, 96 (exempting orders for payment of labor or trade union or craft dues or obligations from the operation of the laws regulating assignments of wages).

Chapter 155. — General Provisions relative to Corporations.

SECT. 1 revised, 1935, 297 § 1. (See 1935, 297 § 3.)

SECT. 10 amended, 1933, 11.

SECT. 23A added, 1935, 297 § 2 (regulating sales of stocks, bonds and other securities of corporations to their employees). (See 1935, 297 § 3.)

SECT. 50 amended, 1933, 66.

Chapter 156. — Business Corporations.

SECT. 12, form of certificate revised, 1932, 67.

SECT. 30 amended, 1937, 52.

SECT. 41 revised, 1932, 136.

SECT. 54 amended, 1932, 180 § 30.

Chapter 157. — Co-operative Corporations.

SECT. 16, last sentence amended, 1932, 180 § 31.

Chapter 159. — Common Carriers.

SECT. 15, paragraph added at end, 1937, 247.

SECT. 59 revised, 1933, 326 § 1.

SECT. 60 amended, 1933, 326 § 2.

SECT. 61 amended, 1933, 326 § 3.

SECT. 62 amended, 1933, 326 § 4.

SECT. 65 amended, 1937, 270.

SECT. 70 revised, 1934, 357 § 1.

SECT. 80 amended, 1934, 357 § 2.

SECT. 89 revised, 1936, 363 § 1.

SECT. 90 revised, 1936, 363 § 2.

SECT. 91 revised, 1936, 363 § 3.

SECT. 92 amended, 1936, 363 § 4.

SECT. 93 amended, 1936, 363 § 5.

SECT. 94 amended, 1936, 363 § 6.

SECT. 103 amended, 1933, 10.

Chapter 159A. — Common Carriers of Passengers by Motor Vehicle.

[Title amended, and headings, "PART I", "CARRIERS OF PASSENGERS BY MOTOR VEHICLE", inserted before section 1, 1933, 372 § 1.]

[SECTS. 17-30 added, under headings, "PART II", "CARRIERS OF PROPERTY BY MOTOR VEHICLE", 1933, 372 § 2 (regulating carriers of property by motor vehicle).]

NOTE: — 1933, 372 repealed by 1934, 264 § 5.

Chapter 159B. — Carriers of Property by Motor Vehicle.

New chapter inserted, 1934, 264 § 1.

SECT. 2 revised, 1936, 345 § 1.

SECT. 6 revised, 1936, 345 § 2.

SECT. 7 revised, 1936, 345 § 3.

SECT. 8 affected, 1935, 24.

SECT. 9 revised, 1936, 345 § 4.

SECT. 10 revised, 1936, 345 § 5; 1937, 381.

SECT. 10A added, 1936, 345 § 6 (prohibiting rebates, discrimination and evasion of regulation in the carrying of property by motor vehicle).

SECT. 13 amended, 1937, 122.

Chapter 160. — Railroads.

SECT. 70 amended, 1932, 238.

SECT. 70A revised, 1932, 236; amended, 1934, 264 § 3.

SECT. 104 revised, 1933, 176.

SECT. 198A (see 1936, 267).

SECT. 198B added, 1936, 267 (prohibiting the scalping, so called, of tickets issued by railroad corporations).

Chapter 161. — Street Railways.

Name of Metropolitan Transit District changed to Boston Metropolitan District, and authority to issue notes and bonds defined, 1932, 147.

Temporary act, extending to January 15, 1939, the period of public control and management of the Eastern Massachusetts Street Railway Company, 1933, 108.

Temporary acts relative to the purchase of bonds of the Boston Elevated Railway Company by the Boston Metropolitan District, 1933, 235; 1934, 334; 1935, 451; 1936, 308; 1937, 357.

SECT. 42, third sentence amended, 1934, 328 § 20.

SECT. 44 amended, 1934, 264 § 4.

SECT. 77 revised, 1934, 310 § 1.

SECT. 86 revised, 1934, 310 § 2.

SECT. 91A added, 1935, 101 (relative to the number of guards on passenger trains operated by street railway companies).

Chapter 163. — Trackless Trolley Companies.

SECT. 12 added, 1932, 185 (requiring trackless trolley companies to furnish security for civil liability on account of personal injuries or property damage caused by their vehicles).

Chapter 164. — Manufacture and Sale of Gas and Electricity.

For legislation authorizing compacts relative to the interstate transmission of electricity and gas, see 1933, 294.

SECT. 14 amended, 1935, 222.

SECT. 17A added, 1932, 132 (regulating the lending of money by gas and electric companies).

SECT. 33 amended, 1932, 180 § 32.

SECT. 34 amended, 1937, 235 § 1. (See 1937, 235 § 2.)

SECT. 76A added, 1935, 335 § 1 (giving to the department of public utilities supervision over certain affiliates of gas and electric companies).

SECT. 84A added, 1934, 202 § 1 (requiring gas and electric companies to make additional annual returns).

SECT. 85, second paragraph amended, 1935, 335 § 2.

SECT. 85A added, 1933, 202 § 1 (requiring the filing with the department of public utilities of certain contracts of gas and electric companies with affiliated companies).

SECT. 94C added, 1935, 227 (relative to payments, charges, contracts, purchases, sales or obligations or other arrangement between gas or electric companies and affiliated companies, and the burden of proving the reasonableness thereof).

SECT. 94D added, 1936, 243 (prohibiting gas and electric companies from collecting penalty charges for delinquency in the payment of bills for gas or electricity used for domestic purposes).

SECT. 105A added, 1932, 119 (regulating the storage, transportation and distribution of gas).

SECT. 115A added, 1936, 259 § 1 (requiring the periodic replacement of meters for measuring gas); amended, 1937, 40 § 1. (See 1936, 259 §§ 2, 3; 1937, 40 §§ 2, 3.)

SECT. 119 revised, 1934, 365.

SECT. 119A added, 1936, 76 § 1 (requiring bills for gas or electricity used for domestic purposes to be itemized). (See 1936, 76 § 2.)

SECT. 124 amended, 1935, 237, 376 § 2.

SECT. 124A added, 1935, 376 § 1 (relative to the shutting off of gas or electric service in homes where there is serious illness).

Chapter 165. — Water and Aqueduct Companies.

SECT. 4A added, 1933, 202 § 2 (requiring the filing with the department of public utilities of certain contracts of water companies with affiliated companies).

Chapter 166. — Telephone and Telegraph Companies, and Lines for the Transmission of Electricity.

SECT. 12A added, 1934, 202 § 2 (requiring telephone and telegraph companies to make additional annual returns).

SECT. 15A added, 1935, 242 (regulating charges by telephone companies for the use of hand sets, so called).

SECT. 22, second paragraph amended, 1932, 36.

SECT. 22A added, 1932, 266 (relative to the placing underground of certain wires); revised, 1933, 251.

Chapter 167. — Banks and Banking.

For temporary act, authorizing the commissioner of banks to borrow within two years from March 30th, 1932, funds for the payment of dividends in liquidation of certain closed banks, see 1932, 122; time increased to four years, 1934, 304; time further increased to six years, 1936, 263; act amended, 1937, 371.

For temporary act, operative until January 1st, 1938, authorizing savings banks and savings departments of trust companies to grant loans on proofs of claim of depositors in closed savings banks and in savings departments of closed trust companies, see 1932, 217.

For temporary act, authorizing the governor to proclaim the existence of a banking emergency, and providing for the further protection of depositors in banks and the maintenance of the banking structure of the commonwealth, see 1933, 59. (See also 1933, Res. 2.)

For temporary act, facilitating the reorganization of certain trust companies, and empowering certain holders of deposits in certain trust companies or national banking associations to take in substitution therefor preferred stock thereof, see 1933, 112.

For temporary act, authorizing banks and credit unions to co-operate in action under the Federal Home Owners' Loan Act of 1933, see 1933, 343.

For temporary act, providing for the establishment of a fund for the insurance of deposits in certain savings banks, see 1934, 43; amended, 1936, 149 §§ 2-4.

For temporary act, providing for the establishment of a fund for the insurance of shares in co-operative banks, see 1934, 73; amended, 1935, 76, 80; 1936, 155.

For temporary act, authorizing banking institutions, during a three-year period, to make loans insured under the provisions of the National Housing Act, see 1935, 162; amended and extended to July 1, 1939, 1937, 240.

For temporary act, modifying requirements for investments in real estate mortgages, see 1936, 191; amended, 1936, 405 § 2.

SECT. 1 amended, 1935, 452 § 1.

SECT. 2 revised, 1934, 251; first paragraph amended, 1935, 452 § 2.

SECT. 2A added, 1933, 310 (improving the method of examination of banks).

SECT. 4 amended, 1934, 270 § 1.

SECT. 5 revised, 1933, 337.

SECT. 11 revised, 1934, 270 § 2.

SECT. 12 revised, 1935, 452 § 3.

SECT. 14 revised, 1933, 334 § 1.

SECT. 17 repealed, 1933, 334 § 2.

SECT. 20 amended, 1933, 190.

SECT. 20A added, 1933, 292 (permitting certain public officers to participate in certain bank reorganizations).

Sects. 22-36. See 1934, 43 § 11.

SECT. 22. See 1933, 59 § 5, 112 § 7.

SECT. 23. See 1933, 112 § 6.

SECT. 24 amended, 1932, 294; 1933, 41 § 4.

SECT. 31A added, 1933, 277 (authorizing payment of dividends on small deposits in closed banks to certain minors and to the next of kin of certain deceased persons without probate proceedings); revised, 1937, 170.

SECT. 35. See 1936, 428.

SECT. 35A added, 1933, 302 (authorizing the destruction of certain books, records and papers relating to closed banks).

SECT. 35B added, 1934, 241 (providing for semi-annual reports by the commissioner of banks as to progress of liquidation of certain banks).

Chapter 168. — Savings Banks.

For temporary act, establishing the Mutual Savings Central Fund, Inc., for the term of five years, see 1932, 44; term extended to ten years, 1936, 149 § 1.

For temporary act, operative until January 1st, 1938, authorizing savings banks and savings departments of trust companies to grant loans on proofs of claim of depositors in closed savings banks and in savings departments of closed trust companies, see 1932, 217.

For temporary act, authorizing the governor to proclaim the existence of a banking emergency, and providing for the further protection of depositors in banks and the maintenance of the banking structure of the commonwealth, see 1933, 59. (See also 1933, Res. 2.)

For temporary act, authorizing banks and credit unions to co-operate in action under the Federal Home Owners' Loan Act of 1933, see 1933, 343.

For temporary act, providing for the establishment of a fund for the insurance of deposits in certain savings banks, see 1934, 43; amended, 1936, 149 §§ 2-4.

For temporary act, authorizing banking institutions, during a three-year period, to make loans insured under the provisions of the National Housing Act, see 1935, 162; amended and extended to July 1, 1939, 1937, 240.

For temporary act, modifying requirements for investments in real estate mortgages, see 1936, 191; amended, 1936, 405 § 2.

SECT. 1, two paragraphs (defining "deposit book [etc.]" and "savings bank") added at end, 1933, 334 § 3.

SECT. 2 revised, 1933, 334 § 4.

SECT. 2A added, 1933, 46 § 1 (authorizing savings banks to become members of the Federal Home Loan Bank established for the district of New England).

SECT. 5. See 1936, 143 § 2.

SECT. 11 amended, 1933, 334 § 5.

SECT. 13 amended, 1933, 334 § 6. (See 1933, 41 § 1.)

SECT. 17 revised, 1933, 334 § 7.

SECT. 25 revised, 1933, 334 § 8.

SECT. 25A added, 1933, 334 § 8 (authorizing the collection of savings from school children through principals, teachers, etc.).

SECT. 26 revised, 1933, 334 § 9.

SECT. 27 amended, 1933, 334 § 10.

SECT. 28 revised, 1933, 334 § 11.

SECT. 29 amended, 1933, 334 § 12.

SECT. 33A revised, 1933, 334 § 13.

SECT. 34 revised, 1933, 334 § 14.

SECT. 35 revised, 1933, 334 § 15.

SECT. 45 amended, 1933, 334 § 16.

SECT. 47 revised, 1933, 334 § 17.

SECT. 49 amended, 1933, 334 § 18.

SECT. 50 revised, 1933, 334 § 19.

SECT. 51 revised, 1932, 245 § 1.

SECT. 51A revised, 1933, 334 § 20.

SECT. 53 revised, 1933, 334 § 21.

SECT. 54, clause First, first two paragraphs revised, 1933, 334 § 22; same clause revised, 1937, 180; clause Second, subdivisions (a), (e) and (f) revised, 1933, 334 § 23; subdivision (h) added, 1933, 334 § 24 (forbidding investment of funds in bonds or notes of county, etc., in default, and defining term "in default"); clause Third affected, 1933, 111; 1934, 79; 1935, 72 §§ 1, 2; 1936, 84; 1937, 56; subdivision (p) of clause Third revised, 1936, 79; clause Fourth amended, 1932, 112; clause Sixth A, first paragraph amended, 1937, 96; clause Seventh, first paragraph amended, 1937, 87; second paragraph revised, 1932, 220; clause Ninth, subdivision (c), paragraph (2) stricken out, 1933, 334 § 25; subdivision (e), paragraphs (2), (3) and (5) revised, 1933, 334 § 26; clause Twelfth amended, 1937, 274 § 2; clause Sixteenth affected, 1933, 111; 1934, 79; 1935, 72 §§ 1, 2; 1936, 84; 1937, 56.

SECT. 55, paragraph added at end, 1933, 334 § 27 (authorizing the continuing of the offices of a merged savings bank as branch offices of the continuing bank).

SECT. 56 added, 1933, 41 § 1 (authorizing savings banks to purchase, loan upon or participate in loans upon the assets of certain closed and other banks).

SECT. 57 added, 1933, 334 § 28 (authorizing savings banks to become members of savings bank associations).

Chapter 169. — Deposits with Others than Banks.

For temporary act, authorizing the governor to proclaim the existence of a banking emergency, and providing for the further protection of depositors in banks and the maintenance of the banking structure of the commonwealth, see 1933, 59. (See also 1933, Res. 2.)

Chapter 170. — Co-operative Banks.

For temporary act, establishing the Co-operative Central Bank for the term of five years, see 1932, 45; term extended to ten years, 1935, 82; amount which a member bank may borrow without collateral further regulated, 1935, 136.

For temporary act, authorizing the governor to proclaim the existence of a banking emergency, and providing for the further protection of depositors in banks and the maintenance of the banking structure of the commonwealth, see 1933, 59. (See also 1933, Res. 2.)

For temporary act, authorizing banks and credit unions to co-oper-

ate in action under the Federal Home Owners' Loan Act of 1933, see 1933, 343.

For temporary act, providing for the establishment of a fund for the insurance of shares in co-operative banks, see 1934, 73; amended, 1935, 76, 80; 1936, 155.

For temporary act, authorizing banking institutions, during a three-year period, to make loans insured under the provisions of the National Housing Act, see 1935, 162; amended and extended to July 1, 1939, 1937, 240.

For temporary act, authorizing co-operative banks, within a three-year period, to make loans upon real estate differing from ordinary co-operative bank loans, see 1935, 191; time increased to six years, 1936, 203; amended, 1937, 233.

For temporary act, modifying requirements for investments in real estate mortgages, see 1936, 191; amended, 1936, 405 § 2.

For temporary act, authorizing co-operative banks to borrow from any source to make real estate loans, see 1936, 195.

The following references are to chapter 170, as appearing in the Tercenary Edition:

SECT. 16 revised, 1932, 292 § 1.

SECT. 19 amended, 1932, 292 § 2.

SECT. 20A added, 1932, 292 § 3 (authorizing payment to spouse or next of kin without administration in case value of shares does not exceed two hundred dollars).

SECT. 36A added, 1932, 292 § 4 (authorizing and regulating borrowings to meet withdrawals and to loan against shares).

SECT. 40, paragraph added at end, 1932, 233 § 1.

SECT. 41 amended, 1932, 233 § 2.

SECT. 42 amended, 1932, 233 § 3.

SECT. 45A added, 1933, 46 § 2 (authorizing co-operative banks to become members of the Federal Home Loan Bank established for the district of New England).

SECT. 50 added, 1932, 201 (authorizing co-operative banks to become members of certain leagues).

Chapter stricken out and new chapter inserted, 1933, 144.

The following references are to the new chapter 170:

SECT. 12 amended, 1936, 196 § 1.

SECT. 16, second paragraph revised, 1936, 196 § 2.

SECT. 25, sentence added at end, 1935, 174.

SECT. 33 amended, 1935, 190.

SECT. 34 amended, 1934, 203 § 1.

SECT. 35, last paragraph stricken out, 1934, 203 § 2.

SECT. 44, second paragraph revised, 1936, 159.

SECT. 47 revised, 1935, 75; 1936, 133.

SECT. 50, first paragraph amended, 1935, 54; 1937, 174.

SECT. 50A added, under caption "CONVERSION", 1935, 215 (establishing the procedure to be followed by a co-operative bank in converting into a federal savings and loan association).

Chapter 171. — Credit Unions.

For temporary act, establishing the Central Credit Union Fund, Inc., for the term of five years, see 1932, 216, as amended by 1934, 221. Term extended to ten years, 1936, 70.

For temporary act, authorizing the governor to proclaim the existence of a banking emergency, and providing for the further protection of depositors in banks and the maintenance of the banking structure of the commonwealth, see 1933, 59. (See also 1933, Res. 2.)

For temporary act, authorizing banks and credit unions to co-operate in action under the Federal Home Owners' Loan Act of 1933, see 1933, 343.

For temporary act, authorizing banking institutions, during a three-year period, to make loans insured under the provisions of the National Housing Act, see 1935, 162; amended and extended to July 1, 1939, 1937, 240.

For temporary act, modifying requirements for investments in real estate mortgages, see 1936, 191; amended, 1936, 405 § 2.

SECT. 3, second paragraph revised, 1936, 323.

SECT. 15, last sentence stricken out, and paragraph added at end, 1933, 163 § 1; new paragraph added, 1935, 272; paragraph added by 1935, 272 revised, 1936, 329.

SECT. 20A added, 1936, 119 (relative to the impairment of the capital of credit unions).

SECT. 21 amended, 1933, 163 § 2; 1937, 228.

SECT. 24, paragraph added at end of subdivision (A), 1933, 163 § 3.

SECT. 29, first paragraph revised, 1936, 139.

Chapter 172. — Trust Companies.

For temporary act, operative until January 1st, 1938, authorizing savings banks and savings departments of trust companies to grant loans on proofs of claim of depositors in closed savings banks and in savings departments of closed trust companies, see 1932, 217.

For temporary act, authorizing the governor to proclaim the existence of a banking emergency, and providing for the further protection of depositors in banks and the maintenance of the banking structure of the commonwealth, see 1933, 59. (See also 1933, Res. 2.)

For temporary act, facilitating the reorganization of certain trust companies, and empowering certain holders of deposits in certain trust companies or national banking associations to take in substitution therefor preferred stock thereof, see 1933, 112.

For temporary act, authorizing banks and credit unions to co-operate in action under the Federal Home Owners' Loan Act of 1933, see 1933, 343.

For temporary act, authorizing banking institutions, during a three-year period, to make loans insured under the provisions of the National Housing Act, see 1935, 162; amended and extended to July 1, 1939, 1937, 240.

For temporary act, modifying requirements for investments in real estate mortgages, see 1936, 191; amended, 1936, 405 § 2.

SECT. 1 revised, 1934, 349 § 1.

SECT. 7, clause Fourth revised, 1934, 349 § 2.

SECT. 9, fifth sentence amended, 1934, 349 § 3.

SECT. 10, first paragraph amended, 1934, 349 § 4.

SECT. 11 revised, 1934, 349 § 5.

SECT. 12 revised, 1934, 349 § 6.

SECT. 13 revised, 1934, 349 § 7.

SECT. 14 revised, 1934, 349 § 8; 1935, 40; amended, 1936, 143 § 1.

SECT. 14A added, 1934, 349 § 9 (relative to the submission of a monthly report by the treasurer of a trust company to its board of directors).

SECT. 15 revised, 1934, 349 § 10.

SECT. 16, paragraph added at end, 1934, 349 § 11.

SECT. 18 revised, 1934, 349 § 12; amended, 1935, 18.

SECT. 19 amended, 1934, 349 § 13.

SECT. 24 revised, 1934, 349 § 14; two paragraphs added at end, 1937, 248.

SECT. 25 amended, 1934, 349 § 15.

SECT. 26 amended, 1934, 349 § 16.

SECT. 30A, sentence added at end, 1934, 349 § 17.

SECT. 31 revised, 1934, 349 § 18.

SECT. 34 revised, 1934, 349 § 19.

SECT. 43 revised, 1934, 349 § 20.

SECT. 44A added, 1933, 41 § 2 (authorizing trust companies to purchase, loan upon or participate in loans upon the assets of certain closed and other banks).

SECT. 45 revised, 1934, 349 § 21.

SECT. 46 revised, 1934, 349 § 22.

SECT. 48 revised, 1934, 349 § 23; paragraph (c) added at end, 1937, 276.

SECT. 54 amended, 1934, 349 § 24; 1935, 172 § 1.

SECT. 54A added, 1935, 172 § 2 (authorizing trust companies under certain conditions to deposit in their commercial departments certain funds held in their trust departments).

SECT. 57 revised, 1934, 349 § 25.

SECT. 60 amended, 1934, 349 § 26.

SECT. 61 amended, 1933, 41 § 3.

SECT. 62 amended, 1934, 349 § 27.

SECT. 66 revised, 1932, 245 § 2.

SECT. 67, paragraph added at end, 1933, 334 § 29 (regulating the declaration and payment of interest on deposits in savings departments of trust companies).

SECT. 74 amended, 1934, 349 § 28.

SECT. 75 revised, 1934, 349 § 29.

SECT. 76 amended, 1934, 349 § 30.

SECT. 80 revised, 1934, 349 § 31 (but see 1934, 349 § 32).

SECT. 82 added, under caption "SET-OFF OR RECOUPMENT OF DEPOSITS", 1932, 295 § 1. (See 1932, 295 § 2.)

SECTS. 83-89 added, under caption "CONSERVATORSHIP", 1933, 87 § 1.

SECTS. 83, 88. See 1933, 112 §§ 6, 9.

SECT. 90 added, 1933, 273 (relative to the enforcement of conservatorship proceedings in respect to trust companies).

Chapter 172A. — Banking Companies.

New chapter inserted, 1935, 452 § 4.

Chapter 175. — Insurance.

For temporary act, relative to the support and regulation of the business of insurance companies during the bank emergency, see 1933, 65.

For temporary act, authorizing insurance companies, during a three-year period, to make loans insured under the provisions of the National Housing Act, see 1935, 162; amended and extended to July 1, 1939, 1937, 240.

For temporary act, modifying the requirements for investments in real estate mortgages, see 1936, 191; amended, 1936, 405 § 2.

SECT. 5 amended, 1933, 107 § 2.

SECT. 6, first paragraph amended, 1933, 107 § 3.

SECT. 11, first paragraph amended, 1934, 92 § 1; third paragraph amended, 1933, 5.

SECT. 19A amended, 1934, 137 § 2.

SECT. 22A revised, 1935, 234.

SECT. 25, last paragraph of Form A stricken out, 1934, 12; last paragraph of section amended, 1934, 92 § 2.

SECT. 36, second paragraph revised, 1935, 140, 1936, 61.

SECT. 47, clause Seventh amended, 1937, 261; clause Twelfth revised, 1935, 204.

SECT. 50, third sentence amended, 1932, 180 § 33.

SECT. 54A added, 1932, 165 (permitting certain insurance companies to make outside the commonwealth contracts insuring personal property against all risks or hazards).

SECT. 64, second paragraph amended, 1936, 213.

SECT. 72 amended, 1936, 212.

SECT. 79 revised, 1933, 23 § 1.

SECT. 80, paragraph inserted after the word "classified" in the twenty-third line, 1936, 315.

SECT. 87 repealed, 1934, 22.

SECT. 90B revised, 1933, 23 § 2.

SECT. 94, first two paragraphs stricken out, and new paragraph inserted, 1933, 81.

SECT. 97 amended, 1933, 31.

SECT. 99, clause Ninth revised, 1934, 95.

SECT. 102 amended, 1932, 174 § 1; revised, 1934, 110 § 1. (See 1932, 174 § 2; 1934, 110 § 2.)

SECT. 106 revised, 1932, 150 § 1. (See 1932, 150 § 4.)

SECT. 113A, provision (2) amended, 1933, 119 § 1, revised, 1933, 145 § 1; provision (2A) added, 1933, 145 § 2, amended, 1935, 296 § 1; provision (6) revised, 1936, 272. (See 1933, 145 § 3; 1935, 296 § 2.)

SECT. 113B, new paragraph added, 1935, 459 § 4. (See 1935, 459 § 5.)

SECT. 113D, first paragraph revised, 1933, 119 § 2; fourth paragraph revised, 1933, 146 § 1; sixth paragraph revised, 1933, 146 § 2, amended, 1934, 46; paragraph added at end, 1933, 119 § 3; paragraph added at end, 1934, 379. (See 1933, 119 § 6, 146 § 3.)

SECT. 113E added, 1934, 61 (prohibiting certain discrimination in the issuance or execution of motor vehicle liability policies or bonds).

SECT. 113F added, 1937, 390 (relative to the renewal of motor vehicle liability policies or bonds, so called, in certain cases).

SECT. 114 amended, 1932, 180 § 34.

SECT. 116A amended, 1932, 180 § 35.

SECTS. 125, 126. See 1933, 42.

SECT. 132, first paragraph revised, 1933, 101 § 1.

SECT. 140, third paragraph amended, 1933, 101 § 2.

SECT. 144, last paragraph revised, 1933, 101 § 3.

SECT. 147B added, 1935, 232 (requiring foreign life insurance companies to provide for paid-up and extended term insurance and cash surrender values on policies of industrial life insurance issued in the commonwealth).

SECT. 151, clause Second amended, 1933, 107 § 1.

SECT. 155, clause First revised, 1932, 150 § 2. (See 1932, 150 § 4.)

SECT. 156A amended, 1933, 30.

SECT. 160A added, 1933, 25 § 1 (prohibiting the printing or publication of certain advertisements for or on behalf of unlicensed insurance companies).

SECT. 160B added, 1934, 14 § 1 (authorizing the commissioner of insurance to publish certain information relative to unlicensed foreign insurance companies or societies).

SECT. 167A amended, 1934, 137 § 3; 1937, 260.

SECT. 181 revised, 1934, 160.

SECT. 184 amended, 1937, 103.

SECT. 185, second paragraph revised, 1932, 150 § 3.

SECT. 187C, first paragraph amended, 1934, 34, 1936, 215 § 1. (See 1936, 215 § 2.)

SECT. 193B added, 1937, 314 (authorizing the payment of motor vehicle insurance premiums in instalments).

Chapter 176. — Fraternal Benefit Societies.

For temporary act, relative to the support and regulation of the business of insurance companies during the bank emergency, see 1933, 65.

SECT. 5 amended, 1933, 25 § 2; 1934, 14 § 2.

SECT. 21 amended, 1934, 170; revised, 1937, 79.

SECT. 23 amended, 1932, 46.

SECT. 40, first two sentences amended, 1932, 180 § 36.

SECT. 45, second paragraph amended, 1932, 104.

SECT. 46B added, 1932, 47 § 1 (authorizing certain fraternal benefit societies to acquire, hold, manage and dispose of real property, and confirming title to such property heretofore acquired by certain of such societies).

Chapter 176A. — Non-Profit Hospital Service Corporations.

New chapter inserted, 1936, 409.

Chapter 178. — Savings Bank Life Insurance.

For temporary act, relative to the support and regulation of the business of insurance companies during the bank emergency, see 1933, 65.

SECT. 10 amended, 1935, 330 § 1.

SECT. 11 amended, 1935, 330 § 2.

SECT. 11A added, 1935, 330 § 3 (relative to non-payment of premiums on annuity and certain other contracts).

SECT. 15 amended, 1935, 330 § 4; 1936, 285 § 1.

SECT. 17 revised, 1935, 330 § 5.

SECT. 19 amended, 1935, 330 § 6.

SECT. 21 revised, 1935, 330 § 7; amended, 1936, 285 § 2.

SECT. 26 revised, 1932, 103.

SECT. 29 amended, 1936, 285 § 3.

SECT. 30 amended, 1936, 285 § 4.

Chapter 180. — Corporations for Charitable and Certain Other Purposes.

SECT. 5 amended, 1934, 328 § 21.

SECT. 10 amended, 1932, 180 § 37; revised, 1937, 151 § 1.

SECT. 11 revised, 1937, 151 § 2.

SECT. 12A amended, 1935, 246.

SECT. 26A added, 1933, 236 § 1 (requiring the filing of annual returns by certain incorporated clubs and other corporations). (See 1933, 236 § 2.)

SECT. 27 amended, 1934, 328 § 22.

Chapter 183. — Alienation of Land.

SECT. 43 amended, 1937, 101 § 1.

SECT. 44 amended, 1937, 101 § 2.

Chapter 184. — General Provisions relative to Real Property.

SECT. 13 amended, 1937, 112; revised, 1937, 245 § 1. (See 1937, 245 § 2.)

Chapter 185. — The Land Court and Registration of Title to Land.

SECT. 1, clause (b) revised, 1935, 318 § 3; clause (c) revised, 1935, 318 § 4; clause (j¹/₂) added, 1934, 263 § 1 (granting to land court exclusive original jurisdiction to determine by declaratory judgment the validity and extent of municipal zoning ordinances, by-laws and regulations); clause (k) revised, 1934, 67 § 1; clauses (l) and (m) added, 1935, 318 § 5 (granting to said court original jurisdiction concurrent with supreme judicial and superior courts of certain suits in equity); paragraph in lines 44-50, inclusive, revised, 1937, 183 § 1. (See 1934, 67 § 2; 1935, 318 § 8; 1937, 183 § 2.)

SECT. 2 amended, 1937, 409 § 3. (See 1937, 409 § 7.)

SECT. 2A repealed, 1937, 409 § 4. (See 1937, 409 § 7.)

SECT. 25A added, 1933, 55 (relative to the power of the land court to enforce its orders and decrees, and relative to service of its processes).

SECT. 40 amended, 1937, 118.

SECT. 78 amended, 1937, 144 § 1. (See 1937, 144 § 2.)

Chapter 189. — Dower and Curtesy.

SECT. 3 revised, 1936, 91 § 1. (See 1936, 91 § 2.)

Chapter 192. — Probate of Wills and Appointment of Executors.

SECT. 1A added, 1934, 113 (requiring that the attorney general be made a party in certain proceedings relative to the probate of wills).

SECT. 7. See 1937, 408 § 3.

Chapter 194. — Public Administrators.

SECT. 7 revised, 1933, 100.

SECT. 9, last sentence amended, 1932, 180 § 38; section affected, 1932, 180 § 45.

SECT. 10. See 1936, 428.

Chapter 195. — General Provisions relative to Executors and Administrators.

SECTS. 1-4 repealed, 1933, 221 § 1. (See 1933, 221 § 8.)

SECT. 8 amended, 1933, 221 § 2. (See 1933, 221 § 8.)

Chapter 196. — Allowances to Widows and Children, and Advancements.

SECT. 2 amended, 1933, 36; revised, 1936, 214.

Chapter 197. — Payment of Debts, Legacies and Distributive Shares.

SECT. 2 amended, 1933, 221 § 3. (See 1933, 221 § 8.)

SECT. 9 amended, 1933, 221 § 4. (See 1933, 221 § 8.)

Chapter 201. — Guardians and Conservators.

SECT. 13, new sentence added at end, 1934, 204 § 1.

SECT. 18, new sentence added at end, 1934, 204 § 2.

SECT. 39A added, 1936, 270 (authorizing payments from estates of minors under guardianship for expenses for the funerals of the parents in certain cases).

SECT. 47A added, 1937, 312 § 1 (permitting guardians and conservators to invest funds in certain insurance policies and annuity contracts).

Chapter 202. — Sales, Mortgages and Leases of Real Estate by Executors, Administrators, Guardians and Conservators.

SECT. 4A added, 1933, 129 (relative to the use and management of real estate of a decedent by his executor or administrator for the purpose of the payment of debts from the rents thereof).

SECT. 14 amended, 1934, 157 § 1.

SECT. 20 revised, 1933, 221 § 5. (See 1933, 221 § 8.)

Chapter 203. — Trusts.

SECT. 16 amended, 1934, 157 § 2.

SECT. 17A added, 1932, 50 (relative to the sale of real estate by foreign testamentary trustees).

SECT. 22 amended, 1936, 184 § 1. (See 1936, 184 § 2.)

SECT. 25A added, under the heading "PURCHASE OF INSURANCE POLICIES OR ANNUITY CONTRACTS", 1937, 312 § 2 (permitting trustees to invest funds in certain insurance policies and annuity contracts).

Chapter 204. — General Provisions relative to Sales, Mortgages, Releases, Compromises, etc., by Executors, etc.

SECT. 26 amended, 1933, 221 § 6. (See 1933, 221 § 8.)

Chapter 206. — Accounts and Settlements of Executors, Administrators, Guardians, Conservators, Trustees and Receivers.

SECT. 17 amended, 1936, 208.

Chapter 207. — Marriage.

SECT. 20 amended, 1933, 127.

SECT. 30 amended, 1937, 11 § 1. (See 1937, 11 § 2.)

SECT. 38 revised, 1932, 162.

Chapter 208. — Divorce.

SECT. 2 revised, 1937, 76 § 1. (See 1937, 76 § 2.)

SECT. 19 revised, 1932, 3.

SECT. 21, sentence added at end, 1934, 181 § 1. (See 1934, 181 § 2.)

SECT. 33 revised, 1936, 221 § 1. (See 1936, 221 § 2.)

SECT. 38 revised, 1933, 288.

Chapter 209. — Husband and Wife.

SECT. 33 revised, 1933, 360.

Chapter 211. — The Supreme Judicial Court.

SECT. 11 revised, 1933, 300 § 1. (See 1933, 300 § 4.)

Chapter 212. — The Superior Court.

For act further extending to January 1st, 1941, the operation of certain provisions of law (1923, 469, as amended,) relative to the more prompt disposition of criminal cases in the superior court, see 1937, 358.

For act relative to sittings and sessions of the superior court, see 1932, 144. (For prior temporary legislation, see 1927, 306; 1928, 228.)

SECT. 14 revised, 1932, 144 § 1. (For prior temporary legislation, see 1927, 306; 1928, 228.)

SECT. 14A added, 1932, 144 § 2 (regulating the establishing of sessions and sittings of the superior court). (For prior temporary legislation, see 1927, 306; 1928, 228.)

SECTS. 15-18 repealed, 1932, 144 § 3.

SECT. 22 amended, 1934, 287.

SECT. 25 amended, 1932, 144 § 4.

SECT. 26A added, 1935, 229 § 1 (providing for the transfer from the superior court to the land court of certain actions at law and suits in equity where any right, title or interest in land is involved). (See 1935, 229 § 2.)

Chapter 213. — Provisions Common to the Supreme Judicial and Superior Courts.

SECT. 6 amended, 1932, 144 § 5.

Chapter 214. — Equity Jurisdiction and Procedure in the Supreme Judicial and Superior Courts.

SECT. 1 amended, 1935, 407 § 2. (See 1935, 407 § 6; 1937, 436 § 10.)

SECT. 9 amended, 1934, 381; 1935, 407 § 3. (See 1935, 407 § 6; 1937, 436 § 10.)

SECT. 9A added, 1935, 407 § 4 (limiting authority of courts to grant injunctive relief in cases involving or growing out of labor disputes). (See 1935, 407 § 6; 1937, 436 § 10.)

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SECTS. 11-20 and caption "FUGITIVES FROM JUSTICE" stricken out and new sections 11-20R inserted, under caption "PROCEDURE ON INTERSTATE RENDITION", 1937, 304 § 1. (See 1937, 304 §§ 2, 3.)

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The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY, BOSTON, October 1, 1937.

I certify that the acts and resolves contained in this volume are true copies of the originals on file in this department.

I further certify that the table of changes in general laws has been prepared, and is printed as an appendix to this edition of the laws, by direction of the Joint Committee on Rules of the General Court, in accordance with the provisions of General Laws, Tercentenary Edition, chapter 3, section 51.

FREDERIC W. COOK,
Secretary of the Commonwealth.

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